STRAITS SETTLEMENTS

The Air Navigation (Colonies, Protectorates and Mandated Territories) Order, 1927

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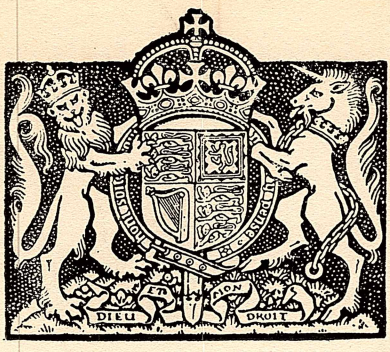

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This reprint of the Air Navigation (Colonies, Protectorates and Mandated Territories) Order, 1927 and its amendments is published for general convenience. It is hoped that the text is correct and complete, but no responsibility is accepted for any inaccuracies or omissions occurring therein.

THE AIR NAVIGATION (COLONIES, PROTECTORATES AND MANDATED TERRITORIES) ORDER, 1927

The Air Navigation (Colonies, Protectorates and Mandated Territories) Order, 1927, S.R. and O. 1927 (No. 1245), as amended by the Air Navigation (Colonies, Protectorates and Mandated Territories) (Amendment) Order, 1929, S.R. and O. 1929 (No. 90), the Air Navigation (Colonies, Protectorates and Mandated Territories) (Amendment) Order, 1931, S.R. and O. 1931 (No. 972), the Air Navigation (Colonies, Protectorates and Mandated Territories) (Amendment) Order, 1932, S.R. and O. 1932 (No. 1076), the Air Navigation (Colonies, Protectorates and Mandated Territories) (Amendment) Order 1935, S.R. and O. 1935 (No. 1072), the Air Navigation (Colonies, Protectorates and Mandated Territories) (Amendment) Order, 1936, S.R. and O. 1936 (No. 79), the Air Navigation (Colonies, Protectorates and Mandated Territories) (Amendment) Order, 1937, S.R. and O. 1937 (No. 672), and the Air Navigation (Colonies, Protectorates and Mandated Territories) (Amendment) (No. 2) Order, 1937, S.R. and O. 1937 (No. 1204).

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Whereas by subsection (2) of Section 4 of the Air Navigation Act, 1920, it is provided that His Majesty may, by Order in Council, make any provisions of an Order in Council made under Sections 1 to 3 of the said Act applicable to any British Possessions other than those mentioned in the Schedule to the said Act and (save as therein provided) to any territory under His Majesty's protection, and to registered aircraft being the property of British subjects resident or companies incorporated therein, with such modifications and extensions as shall appear necessary: 10 & 11 Geo. 5. c. 80

And whereas His Majesty did on the 19th day of December, 1923, make an Order in Council entitled the Air Navigation (Consolidation) Order, 1923, (a) under the said sections of the said Act:

And whereas His Majesty did on the 16th day of December, 1925, and on the 22nd day of March, 1927, make further Orders in Council entitled respectively the Air Navigation (Amendment) Order, 1925, (b) and the Air Navigation (Amendment) Order, 1927, (c) under the said sections of the said Act:

And whereas it is expedient to make certain of the provisions of the said Orders in Council applicable to certain British possessions and certain territories under His Majesty's protection and to registered aircraft being the property of British subjects resident or companies incorporated therein:

Now, therefore, His Majesty, by virtue of and in exercise of the powers in this behalf by the Air Navigation Act, 1920, or otherwise in His Majesty vested, is pleased by and with the advice of his Privy Council to order, and it is hereby ordered, as follows:—

Application of Order.

1. The provisions of this Order shall apply to the British possessions and territories mentioned in Schedules VIII and IX hereto (any one of which is hereinafter referred to in the expression "the Colony").

Nationality of aircraft.

2.—(1) An aircraft shall be deemed to possess the nationality of the State on the register of which it is entered.

(2) Aircraft registered in the Colony, and aircraft registered in any other part of His Majesty's dominions when in or over the Colony, shall be deemed to be and are in this Order referred to as British Aircraft.

Aircraft to which Order applies.

3. The provisions of this Order apply (unless the contrary intention appears)—

(*a*) to all British aircraft registered in the Colony wherever such aircraft may be;

(*b*) to other British aircraft and foreign aircraft when such aircraft are in or over the Colony;

and for the purposes of liability under this Order, other than liability for want of registration, where an aircraft is not registered and by reason thereof has no nationality for the purposes of this Order, this Order shall apply to such aircraft when flying within the Colony in like manner as it applies to aircraft registered in the Colony.

(a) S.R. & O. 1923, No. 1508. (b) S.R. & O. 1925, No. 1260. (c) S.R. & O. 1927, No. 263.

General conditions of flying.

4.—(1) An aircraft shall not fly unless the following general conditions are complied with :—

[1935.] (i) The aircraft shall be registered and bear the prescribed nationality and registration marks and the names and residence of the owner painted on or affixed to the aircraft in the prescribed manner;

(ii) The aircraft shall be certified as airworthy in the prescribed manner, and any terms or conditions on or subject to which the certificate of airworthiness was granted shall be duly complied with;

[1931.] (iii) The personnel of the aircraft shall be of the prescribed number and description and shall be provided with the prescribed certificates of competency and licences;

(iv) There shall be carried in the aircraft the prescribed documents and journey log-book kept up to date in the prescribed form and manner :

Provided that—

(*a*) Conditions (i), (ii) and (iv) shall not apply to aircraft flown for the purpose of experiment or test only, within three miles of a licensed aerodrome, a Royal Air Force aerodrome, an aerodrome under the control of the Secretary of State for Air or the Governor, or an aircraft factory, or to aircraft flown in accordance with directions or special permission in writing given by the Governor under this Article, and subject to any conditions or limitations which may be laid down in such directions or permission.

[1931.] (*b*) Condition (iii) in so far as it relates to certificates of competency and licences shall not apply in the case of candidates undergoing official tests for the purposes of obtaining a licence, or within three miles of a licensed aerodrome, a Royal Air Force aerodrome, or an aerodrome under the control of the Secretary of State for Air or the Governor, in the case of personnel whilst under instruction, or whilst engaged in a flight, in accordance with such directions as aforesaid, for the purpose of becoming eligible for the issue of a licence.

[1929.] (*c*) Condition (ii) shall not apply to balloons or kites when being flown within the Colony and not carrying passengers for hire or reward.

[1937.] (*d*) Condition (iv) in so far as it relates to journey log-books shall not apply in the case of a British aircraft registered in the Colony except when engaged in international navigation.

(2) In this article "prescribed," in relation to aircraft other than British aircraft registered in the Colony, means prescribed by the law of the State on whose register the aircraft is entered and in relation to British aircraft registered in the Colony has the meaning assigned to it by article 31 of this Order.

5.—(1) Save as hereinafter expressly provided, an aircraft shall not fly within the Colony unless the following further conditions are complied with :— Further conditions of flying within the Colony.

(i) The aircraft shall possess the nationality of a contracting State;

(ii) The provisions of this Order as to general safety, and as to the dropping of articles from aircraft, shall be duly complied with;

(iii) Except as may be provided in the proclamation whereby the prohibited area is established, or in any subsequent proclamation, the aircraft shall not land in any prohibited area as defined in this Order and shall not fly over any such area; [1936.]

(iv) Such members of the personnel of the aircraft as are British subject shall be provided with certificates of competency and licences issued or rendered valid by a duly competent authority within His Majesty's dominions;

(v) The prescribed conditions as to the maintenance of airworthiness shall be complied with, and the prescribed certificates as to airworthiness shall be carried in the aircraft;

(vi) The aircraft shall conform to such orders as may be lawfully given in regard to it by officers of Police or of Customs and Excise :

Provided that—

(*a*) Condition (i) shall not apply to the aircraft of a State with which a special convention relating to air navigation entered into by or on behalf of His Majesty is for the time being in force, so long as the conditions of the special convention are complied with; and [1920.]

(*b*) Conditions (i) and (v) shall not apply to aircraft flown for the purpose of experiment or test only, within three miles of a licensed aerodrome, a Royal Air Force aerodrome, an aerodrome under the control of the Secretary of State for Air or the Governor, or an aircraft factory, or to aircraft flown in accordance with directions or special permission in writing given by the Governor under this Article, and subject to any conditions or limitations which may be laid down in such directions or permission.

(*c*) Condition (iv) shall not apply in the case of candidates undergoing official tests for the purpose of obtaining a licence, or within three miles of a licensed aerodrome, a Royal Air Force aerodrome, or an aerodrome under the control of the Secretary of State for Air or the Governor, in the case of personnel whilst under instruction or whilst engaged in a flight, in accordance with such directions as aforesaid, for the purpose of becoming eligible for the issue of a licence.

[1929.] (*d*) Condition (v) shall not apply to balloons or kites when not carrying passengers for hire or reward.

[1937.] (*e*) Condition (v) in so far as it relates to the carrying in the aircraft of the prescribed certificates as to airworthiness shall not apply in the case of a British aircraft registered in the Colony except when engaged in international navigation or when flying as a public transport aircraft or an aerial work aircraft.

(2) A fixed balloon shall not be flown within the Colony except with the special permission in writing of the Governor, and subject to any conditions that may be attached to such permission, and the Governor may, on the granting of such permission or subsequently, direct that the provisions of this Order or any of them shall not apply to the balloon in question, or shall apply subject to such modifications as he thinks fit.

Licensed aerodromes. [1937.]

6.—(1) The Governor may, on application made in the prescribed manner, license an aerodrome either for public use or for use by particular persons or classes of persons, and for use either by aircraft of all classes and descriptions or by particular aircraft or classes or descriptions of aircraft.

(2) The Governor may grant a licence in respect of an aerodrome on such conditions as may be prescribed or specified in the licence, and any conditions so prescribed or specified shall be complied with by the proprietor of the aerodrome as if they were contained in this Order.

(3) Any licence granted by the Governor in respect of an aerodrome shall remain in force for such period as may be specified therein not exceeding such period as may be prescribed by directions issued by the Governor. The Governor may from time to time on application made in the prescribed manner renew any licence granted by the Governor in respect of an aerodrome and such renewal may be with or without variation of any conditions previously prescribed or specified in the licence.

Reference to schedules.

7. The provisions in Schedules I to VI inclusive to this Order shall have effect as part of this Order, and shall be duly observed by all persons concerned in the cases to which they relate, that is to say :—

Schedule	*Subject matter*
I.	Registration and marking of aircraft.
II.	Certificates of airworthiness for aircraft; detention of unairworthy aircraft; inspection, overhauls, &c.
III.	Log-books.
IV.	Rules as to lights and signals and rules for air traffic.
V.	Licensing of personnel.
VI.	Prohibited areas.

Accessibility of and charges at aerodromes. [1937.]

8.—(1) The proprietor of an aerodrome to which this Article applies shall

(*a*) allow the aircraft of all countries alike to use the aerodrome to the same extent and upon the same conditions;

(*b*) exhibit and keep exhibited in a conspicuous place in the aerodrome a tariff of charges;

(*c*) not make, in respect of a service rendered to an aircraft, any charge which is greater than the charge authorised by the said tariff in respect of that service.

(2) Every such tariff as aforesaid shall include charges for landing and length of stay applicable to the aircraft of all countries alike and shall be in such form and on such a scale as respects charges as may be approved by the Governor, and no tariff shall be exhibited in any aerodrome to which this Article applies unless it has been so approved by the Governor.

(3) The approval of the Governor of any such tariff as aforesaid shall have effect during such period and subject to such conditions with regard to the termination or renewal thereof as may be specified therein.

(4) This Article applies to aerodromes which are

(*a*) licensed by the Governor for public use; or

(*b*) open to public use by British aircraft on payment of charges;

but does not apply to Royal Air Force aerodromes or aerodromes under the control of the Secretary of State for Air or the Governor.

Passenger aerodromes. [1937.]

8A.—(1) An aircraft when carrying passengers for hire or reward shall not use as a place of landing or departure any place in the Colony other than

(*a*) an aerodrome licensed for use by such an aircraft; or

(*b*) a Royal Air Force aerodrome or an aerodrome under the control of the Secretary of State for Air or the Governor, which has been authorised by the Secretary of State for Air or the Governor, as the case may be, to be used as such a place.

Provided that this prohibition shall not apply—

(i) to a landing due to accident, stress of weather or other unavoidable cause or to the next subsequent departure from the place in which the landing due to any such cause has been made; or

(ii) to a landing or departure made by an aircraft which has been hired or chartered by or on behalf of the passengers carried therein if the landing or departure is made in accordance with the requirements of the hirer or charterer of the aircraft and if no passengers other than those by whom or on whose behalf the aircraft was hired or chartered are accepted for carriage for hire or reward at the place of such landing or departure.

(2) No person, being the proprietor of an aerodrome other than an aerodrome mentioned in paragraph (1) of this Article, shall permit his aerodrome to be used by an aircraft in contravention of that paragraph.

Use of Royal Air Force aerodromes or aerodromes under the control of the Secretary of State for Air or the Governor.

8B. Any directions issued by the Secretary of State for Air or the Governor as to the use of Royal Air Force aerodromes or aerodromes under the control of the Secretary of State for Air or the Governor the use of which has been authorised by the Secretary of State for Air or the Governor, as the case may be, shall be complied with.

[1937.]

Right of inspection and access to aerodromes.

9.—(1) Any person authorized by the Governor shall have the right of access at all reasonable times to any aerodrome other than a Royal Air Force aerodrome for the purpose of inspecting the aerodrome, and any person so authorised and any police constable shall have the right of access at all reasonable times to any place to which access is necessary for the purpose of carrying out his powers and duties under this Order.

(2) All military aircraft belonging to or employed in the service of His Majesty shall have at all reasonable times the right of access to any licensed aerodrome, subject to the conditions of the licence.

General safety provisions.

10.—(1) An aircraft shall not fly over any city or town within the Colony except at such altitude as will enable the aircraft to land outside the city or town should the means of propulsion fail through mechanical breakdown or other cause :

[1935.] Provided that this prohibition shall not apply to an aircraft which is departing from, or about to land at, a licensed aerodrome, a Royal Air Force aerodrome, or an aerodrome under the control of the Secretary of State for Air or the Governor, whilst the aircraft is within a distance of one mile from the nearest point of the boundary of such aerodrome.

[1935.] (1A) Except with the special permission in writing of the Governor, and subject to any conditions that may be attached to such permission, a flying machine registered in the Colony and carrying passengers for hire or reward on a regular line or service of public air transport shall not, unless it is designed to manœuvre on the water, be flown over the sea or any inland waters in such circumstances that, in the event of the stoppage of its engine or one of its engines, it would be unable to reach land.

(2) An aircraft in or over the Colony shall not—

(*a*) be used to carry out any trick flying or exhibition flying over any city or town area or populous district; or

[1937, No. 2.] (*b*) fly over or in the immediate vicinity of any place where a large concourse of the public is assembled in the open air in connection with any event of public interest except with the consent in writing of the Governor and of the organizers if any of the event : provided that this prohibition shall not apply to an aircraft which is being used for police purposes or to an aircraft passing from place to place in the ordinary course of navigation and flying at a reasonable height; or

(*c*) be flown in such manner or in such circumstances as, by reason of low altitude or proximity to persons or dwellings or to other aircraft, or for any other reason, to cause unnecessary danger to any person or property on land or water or in the air. [1937.]

(3) Whenever an aircraft registered in the Colony is carrying passengers for hire or reward— [1935.]

(*a*) the owner of the aircraft shall cause to be exhibited and kept exhibited in a conspicuous place in the aircraft a legible notice stating whether and to what extent smoking is permitted in the aircraft; and

(*b*) no person shall smoke in the aircraft unless, or except in so far as, smoking is stated by the notice to be permitted.

No notice exhibited in an aircraft for the purpose of the foregoing provisions of this paragraph shall state that smoking is permitted therein unless, or except in so far as, smoking therein is authorised by the aircraft's certificate of airworthiness or by the permission in writing of the Governor.

No person shall smoke in an aircraft registered in the Colony when it is not carrying passengers for hire or reward unless, or except in so far as, smoking therein is authorised by the aircraft's certificate of airworthiness or by the permission in writing of the Governor.

(3A) In every British aircraft registered in the Colony such particulars of or notices relating to the design construction and weight of the aircraft or the equipment thereof or to any restrictions to be observed and precautions to be taken to secure the safety of the aircraft shall be exhibited and kept exhibited in such manner and in such places in the aircraft as the Governor may prescribe. [1937.]

(4) A person shall not commit any act, whether by interference with the pilot or a member of the operative crew, or by tampering with the aircraft or its equipment, or by disorderly conduct, or by any other means, likely to imperil the safety of any aircraft, its passengers, or crew.

(5) Subject to the provisions of this paragraph, when an aircraft is flying within the Colony, no person shall at any time be carried on the wings or undercarriage of the aircraft, or on or in any other part thereof which is not designed for the accommodation of the personnel or passengers, or on or in anything attached to the aircraft: [1935.]

Provided that—

(*a*) nothing in this paragraph shall prevent a person having temporary access—

(i) to any part of the aircraft for the purpose of executing repairs to the aircraft or adjusting the machinery or equipment thereof or for the purpose of doing anything which may be necessary for the safety of the aircraft or persons or goods carried therein; or

(ii) to any part of the aircraft in which goods or stores are being carried and to which proper means of access is provided; and

(*b*) a person may be carried on or in any part of the aircraft, or anything attached thereto, with the permission in writing of the Governor and subject to any conditions which may be attached to that permission.

[1937.] (6) Subject to the proviso contained in paragraph (7) of this Article an aircraft shall not (*a*) be used in flight for the purpose of towing another aircraft or any banner, drogue, flag or similar article, or (*b*) be towed in flight by another aircraft unless the aircraft is being so used or towed (i) in accordance with the certificate of airworthiness, if any, of such aircraft and subject to any conditions or limitations contained therein, or (ii) in pursuance of special permission in writing given by the Governor and in accordance with and subject to any conditions or limitations imposed by such special permission.

[1937.] (7) An aircraft banner, drogue, flag or similar article shall for the purpose of paragraph (6) of this Article be deemed to be towed if it is attached to an aircraft in flight by any means external to the aircraft to which it is attached which cause the aircraft, banner, drogue, flag or similar article so attached to follow or accompany in flight the aircraft to which it is attached :

Provided that nothing in this paragraph or in paragraph (6) of this Article shall prohibit the reasonable user or display by or from an aircraft in flight of wireless aerials, any instrument which is being used for experimental purposes or any signal, apparatus, equipment or article required or permitted to be displayed or used by or from an aircraft in flight in accordance with any provision of this Order or of any direction of the Governor thereunder.

[1937.] (8) In every flying machine registered in the Colony and* carrying passengers for hire or reward or, in a case where the carriage is affected by an air transport undertaking, whether for hire or reward or not, the position of every means of exit from the aircraft and from every passenger compartment therein available for use in an emergency shall be clearly marked and in each case the method of operation shall be indicated; and every such means of exit shall be kept free from any obstruction.

[1937, No. 2.]*

[1935.] **10**A.—(1) No person shall fly in an aircraft of any type, being an aircraft registered in the Colony, for the purpose of instructing another person carried therein in flying the aircraft unless—

(*a*) the first-mentioned person (hereafter referred to as "the instructor") holds a pilot's licence to fly aircraft of that type, being a licence granted or rendered valid under this Order; and

(*b*) in a case where payment is made for the instruction (except a case where the aircraft belongs to an aeroplane club of which both the instructor and the said other person are members), the licence so held by the instructor is a licence to fly public transport or aerial work aircraft; and

(*c*) in a case where payment is made for the instruction the instructor is authorised by the Governor, by endorsement on the licence, to give instruction in flying.

(2) For the purpose of this Article, applications to the Governor for authority to give instruction in flying shall be made in such form and manner, and may be granted for such period and on compliance with such conditions, as the Governor may direct.

(3) Nothing in this Article shall be taken to prevent the pilot of a public transport or aerial work flying machine exercising supervision over a member of the operating crew thereof who is manœuvring the machine as permitted by this Order, or by directions issued thereunder, notwithstanding that such pilot has not been authorised as aforesaid.

10B. Notwithstanding any other provision of this Order, it shall not be lawful— [1935.]

(*a*) for a person under the age of seventeen years to have sole control of an aircraft in motion; or

(*b*) for any person to cause or permit a person apparently under the age of seventeen years to have sole control of an aircraft in motion:

Provided that, in any prosecution for a contravention of paragraph (*b*) of this Article, it shall be a defence to prove that the person apparently under the age of seventeen years was at the time of the alleged contravention actually of or over that age.

Power to prevent flights in contravention of Order. [1937, No. 2.]

11. Where it appears to any person authorized in writing by the Governor for the purposes of this Article that any aircraft is intended or likely to be flown in such circumstances that the flight would be in contravention of any of the provisions of sub-paragraphs (i), (ii) and (iii) of paragraph (1) of Article 4, or sub-paragraph (i) of paragraph (1) of Article 5, or Article 19 of this Order, or in such circumstances as to infringe any other provision of this Order and to be a cause of danger to any person or property on land or water or in the air, the person so authorised may give such directions, and take such steps by way of detention of the aircraft or otherwise in relation thereto, as appears to him to be necessary in order to prevent the flight, and, without prejudice to any provisions of this Order with respect to the obstruction of authorised persons, any person acting in contravention of any directions given under this article shall be deemed to have acted in contravention of this Order.

Drunkenness of pilots, &c.

12. A person acting as, or carried in an aircraft for the purpose of acting as, pilot, commander, navigator, engineer, or operative member of the crew thereof, shall not, while so acting or carried, be in a state of intoxication or in a state in which, by reason of his having taken or used any sedative narcotic or stimulant drug or preparation, his capacity so to act is impaired, and no other person while in a state of intoxication shall enter or be in any aircraft.

Parachute descents and dropping of articles. [1935.]

13. A person shall not, except in a case of emergency, descend by means of a parachute from an aircraft flying within the Colony, and no article, whether attached to a parachute or not, shall be dropped from any such aircraft, unless the descent is made or the article is dropped in accordance with and subject to any conditions or limitations contained in directions or any special permission in writing given by the Governor:

[1937.] Provided that nothing in this Article shall be taken to prevent the dropping of ballast which is not prohibited by paragraph 50 of Schedule IV to this Order.

Personnel to be carried by British aircraft.

[1931.]

13A. The Governor may by directions prescribe the number and description of the personnel to be carried, either in all circumstances or in certain circumstances specified in the directions, by any class or description of British aircraft registered in the Colony.

Provided that in any case where the Convention requires that an aircraft shall carry a certain number of persons of a certain description, the number of persons of that description prescribed in that case shall not be less than the number required by the Convention.

Instruments, &c., to be carried by British aircraft.

14. There shall be carried and maintained in working order in every British aircraft registered in the Colony, when flying, such instruments and equipment applicable to the class or description of the aircraft as may be prescribed, and any directions of the Governor as to the manner in which, and the persons by whom any particular instruments or equipment are to be used shall be complied with as if they were contained in this Order.

Wireless telegraphy.

15.—(1) The Governor may give directions prescribing the conditions in which British aircraft registered in the Colony shall, when flying,

(i) carry wireless telegraphy apparatus, and
(ii) carry certified operators; and
(iii) maintain wireless telegraphy service;

and such directions may prescribe the character of the apparatus, the number and qualifications of the operators and the nature of the service, and when any such directions have been given they shall be complied with in the case of any aircraft to which they apply as if contained in this Order.

(2) In this Article the expression "certified operator" means an operator who is the holder of a certificate of proficiency in radio-telegraphy granted or recognised by the competent authority in that behalf for the Colony.

(3) Nothing in this Article shall exempt any person from any requirements as to licences for wireless telegraphy which are in force in the Colony.

Documents to be carried by British aircraft.

[1937.]

16. Save as otherwise expressly provided in this Order there shall be carried by a British aircraft registered in the Colony :—

(1) when engaged in international navigation, the following documents :—

(*a*) its certificate of registration;
(*b*) its certificate of airworthiness and any other certificate relating to the aircraft, which may be required by this Order to be carried in the aircraft;
(*c*) the certificates of competency and licences of its personnel;
(*d*) its journey log-book;

(*e*) any licence to use wireless apparatus in the aircraft for the time being in force;

(*f*) if it carries passengers, a list of their names;

(*g*) if it carries freight, bills of lading and manifest in respect thereof:

(2) when not engaged in international navigation but when flying as a public transport aircraft or an aerial work aircraft, the documents specified in (*b*) and (*c*) of paragraph (1) of this Article.

Certificate of airworthiness. [1937.]

17. The certificate of airworthiness of a British aircraft registered in the Colony shall be kept in the pocket of the journey log-book when that log-book is required under this Order to be carried in the aircraft.

Production of documents for inspection. [1937.]

18.—(1) The person in charge of an aircraft shall, on demand made on the landing or departure of the aircraft by an authorised person, produce to that person any of the following documents relating to the aircraft or its personnel:—

(*a*) its certificate of registration;

(*b*) its certificate of airworthiness and in the case of a British aircraft registered in the Colony any other certificate relating to the aircraft which may be required by this Order to be carried in the aircraft;

(*c*) the certificates of competency and licences of its personnel;

(*d*) its journey log-book in all cases in which the journey log-book is required under this Order to be carried in the aircraft;

(*e*) any licence to use wireless apparatus in the aircraft for the time being in force;

(*f*) if it is engaged in international navigation and carries passengers, a list of their names;

(*g*) if it is engaged in international navigation and carries freight, bills of lading and manifest in respect thereof:

Provided that, in the case of a British aircraft registered in the Colony which is within the Colony and is not engaged in international navigation, it shall be deemed to be a sufficient compliance with this paragraph, except as regards the production of the documents specified in (*b*) and (*c*) above in the case of an aircraft flying as a public transport aircraft or an aerial work aircraft, if the person in charge of such aircraft to whom any such demand has been made to produce any of the said documents shall, within five days after such demand has been made, produce or cause to be produced the document or documents so demanded at such police station as may be specified by him at the time of such demand.

(2) The owner of a British aircraft registered in the Colony shall, on demand made by an authorised person, produce or cause to be produced within a reasonable time, to that person—

(*a*) any certificate of registration or certificate of airworthiness for the time being in force with respect to the aircraft;

(*b*) any journey log-book and any other log-book required by this Order to be kept in respect of the aircraft wherein any entry was made within the period of two years next before the date of the demand;

(*c*) any licence to use wireless apparatus in the aircraft for the time being in force.

(3) The holder of any licence granted or rendered valid under this Order and any person required under this Order to be provided with a licence shall, on demand made by an authorised person, produce the licence :

Provided that, in the case of a demand being made as aforesaid for the production of a licence granted or rendered valid under Schedule V to this Order and not being a licence entitling the holder thereof to act as commander, pilot, navigator, engineer, or other operative member of the crew of a public transport aircraft or an aerial work aircraft, it shall be deemed to be a sufficient compliance with this paragraph if the holder of such licence shall, within five days after such demand has been made, produce or cause to be produced the licence so demanded at such police station as may be specified by him at the time of such demand.

(4) A pilot licensed under this Order shall, on demand made by an authorised person, produce or cause to be produced, within a reasonable time, to that person any pilot's log-book kept by him wherein any entry was made within the period of two years next before the date of the demand.

(5) For the purpose of this Article the expression "authorised person" means a police officer, or a person authorised for the purpose by the Governor.

Prohibited carriage.

19. Save for the purposes of the provisions of Schedule IV to this Order as to signals—

(i) an aircraft engaged in international navigation shall not carry explosives of war, arms of war, or munitions of war;

(ii) a foreign aircraft shall not carry explosives of war, arms of war, or munitions of war between any two points within British territory, either or both of which is within the Colony.

Aerial light-houses.

20.—(1) An aerial lighthouse shall not be established or maintained within the Colony, nor the character of the light exhibited therefrom altered, except with the approval of the Governor, and subject to such conditions as he may prescribe :

Provided that, in the case of an aerial lighthouse the light from which would or might be visible from the sea or from any waters over which a general lighthouse authority exercises jurisdiction, such approval shall not be given except with the consent of the general lighthouse authority.

(2) A person shall not wilfully or negligently injure or interfere with any aerial lighthouse established or maintained with the approval of the Governor or any light exhibited from any such lighthouse.

False lights. [1937, No. 2.]

21.—(1) Whenever in the Colony any light is exhibited,

(*a*) which, being in the neighbourhood of an aerodrome, is liable by reason of its glare to endanger aircraft arriving at or departing from the aerodrome; or

(*b*) which, by reason of its liability to be mistaken for a light proceeding from an aerial lighthouse or for a light or part of a system of lights prescribed for display at or near an aerodrome or for marking an obstruction to air navigation, is liable to endanger aircraft;

the Governor may serve a notice upon the owner of the place where the light is exhibited or upon the person having charge of the light, directing that owner or person within a reasonable time, to be specified in the notice, to take effectual means for extinguishing or for effectually screening the light and for preventing for the future the exhibition of any similar light.

(2) The notice may be served either personally or by post, or by affixing the same in some conspicuous place near to the light to which the notice relates.

(3) If any owner or person on whom a notice is served under this article fails, without reasonable cause, to comply with the directions contained in the notice, he shall be deemed to have failed to comply with this Order.

(4) If any owner or person on whom a notice under this article is served neglects for a period of seven days to extinguish or effectually to screen the light mentioned in the notice, the Governor may enter upon the place where the light is and forthwith extinguish the same, doing no unnecessary damage, and may recover the expenses incurred by him in so doing from the owner or person on whom the notice has been served.

(5) In the case of lights which would or might be visible from the sea or waters over which a general lighthouse authority exercises jurisdiction, the powers of the Governor under this article shall not be exercised except with the consent of the general lighthouse authority.

Use of signals, signs and marks. [1929.] [1931.]

22.—(1) In making or receiving signals by wireless telegraphy or other methods of communication, except by visual signals when the Morse Code is not being used, every aircraft possessing the nationality of a Contracting State shall use as its call sign the complete group of five letters which constitutes its nationality and registration marks preceded, in the case of a signal by radio-telephony, by the name of the owner of the aircraft:

[1929.]

Provided that after communication has been established by means of such call sign the aircraft may employ an abridged call sign consisting—

(*a*) in the case of radio-telegraphy of the first and last letters of the complete call sign of five letters;

(*b*) in the case of radio-telephony, of the whole or part of the name of the owner of the aircraft followed by the last two letters of the complete call sign of five letters:

Provided also that nothing in this paragraph shall affect the special rules as to signals laid down in Section II of the Fourth Schedule to this Order.

[1935.] (2) A person in an aircraft or on an aerodrome shall not make any signal prescribed by this Order except for the purposes specified therein, and shall not knowingly make, without lawful authority or excuse (proof whereof shall lie on the accused), any naval, military or air force signal.

(3) An aircraft other than a State aircraft shall not bear any mark or sign used or appropriated for use by State aircraft.

Arrival and departure from the Colony.

23.—(1) The Governor may prescribe points between which aircraft when entering the Colony from abroad or leaving the Colony for abroad shall pass.

(2) If such points are for the time being so prescribed, no aircraft shall enter the Colony from abroad or leave the Colony for abroad except between such points:

Provided that—

(*a*) if an aircraft is compelled by accident, stress of weather, or unavoidable cause to enter the Colony from abroad elsewhere than between such points it shall land at the Customs aerodrome, if any, in the Colony nearest to its route; and

(*b*) if an aircraft arriving from a place outside the Colony shall land in any place other than a Customs aerodrome, the pilot shall forthwith report to an Officer of Customs and Excise or police constable and shall on demand produce to such officer or police constable the log-book belonging to the aircraft and shall not allow any goods to be unloaded therefrom without the consent of an Officer of Customs and Excise and no passenger thereof shall leave the immediate vicinity without the consent of an Officer of Customs and Excise or police constable. If such place of landing shall be an aerodrome, the pilot shall forthwith report the arrival of the aircraft and the place whence it came to the proprietor of the aerodrome, who shall forthwith report the arrival of the aircraft to an Officer of Customs and Excise and shall not allow any goods to be unloaded therefrom or any passenger thereof to leave the aerodrome without the consent of such officer.

(3) Any enactments for the time being in force restricting the landing of aliens or any orders made thereunder with respect to persons arriving in or departing from the Colony shall apply to persons arriving or departing by air as if the same were herein set out, with such modifications as are necessary for adapting them to such purpose.

(4) The Governor shall make such regulations for the application of the law relating to Customs to aircraft arriving in or departing from the Colony as may be necessary and not inconsistent with the Convention.

Customs provisions to be observed by aircraft flying abroad.

24. If the Governor is satisfied that any person has, in respect of any British aircraft registered in the Colony, been convicted by a competent court of an offence against the provisions of the Customs law of a Contracting State, so far as those provisions are in accordance with Annex H of the Convention, which is set out in Schedule VII to this Order, he may (without prejudice to any other powers conferred upon him by this Order) cancel or suspend the certificate of registration of that aircraft.

Forgery, &c., of documents.

25.—(1) A person shall not—

(*a*) forge or fraudulently alter or assist in forging or fraudulently altering, or procure to be forged or fraudulently altered, any licence or certificate required under this Order; or

(*b*) make, assist in making, or procure to be made any false representation for the purpose of procuring for himself or any other person the issue, validation, or renewal of any such licence or certificate, or the endorsement on a pilot's licence of authority by the Governor to give instruction in flying in accordance with sub-paragraph (*c*) of paragraph (1) of Article 10A of this Order; or

[1937.]

(*c*) fraudulently use any such licence or certificate which has been forged, altered, cancelled, or suspended, or to which he is not entitled; or

(*d*) fraudulently lend any such licence or certificate or allow it to be used by any other person.

(2) A person shall not destroy, mutilate, alter, or render illegible any log-book or any entry made therein, or wilfully make or procure or assist in the making of any false or fraudulent entry in or omission from any log-book.

Application to foreign military aircraft.

26. A foreign military aircraft shall not fly over or land in the Colony except on the express invitation or with the express permission of His Majesty, or of a Government Department, or of the Governor, but any aircraft so flying or landing on such invitation or with such permission shall be exempt from the provisions of this Order except to such extent as may be specified in the invitation or permission :

Provided that no such invitation or permission shall be necessary in the case of foreign military aircraft accompanying vessels of war visiting the Colony so long as the flight or landing is necessary in connection with the arrival of the aircraft in or their departure from the Colony and such aircraft shall while so accompanying vessels of war as aforesaid be exempt from the provisions of this Order.

Exceptions to operation of Order.

27.—(1) Except where otherwise expressly stated, this Order applies to aircraft belonging to or employed in the service of His Majesty, other than military aircraft, but does not apply to any aircraft or to any persons if and to such extent as such aircraft or persons may be excepted from this Order by direction of the Governor.

(2) The Governor may, by a special and temporary authorisation, and subject to such conditions as may be specified, permit the flight within the limits of the Colony of an aircraft which does not possess the nationality of a Contracting State or of a

State to which proviso (*a*) to paragraph (1) of Article 5 of this Order applies :

Provided that an aircraft the flight of which is so permitted as aforesaid shall while flying within the said limits carry a certificate issued either by the Governor or by the competent authority in the State whose nationality the aircraft possesses, stating that permission has been granted and the conditions, if any, subject to which it has been granted.

Penalties.

28.—(1) If an aircraft flies in contravention of, or fails to comply with, this Order or any provision thereof, or if in or in respect of any aircraft any act is committed which is or is deemed to be a contravention of this Order or any provision thereof, the owner or hirer of the aircraft (if other than the Crown) and the pilot or commander thereof shall be deemed to have contravened or, as the case may be, failed to comply with this Order :

Provided that—

(*a*) it shall be a defence to any proceedings for such contravention of, or failure to comply with this Order if the contravention or failure is proved to have been due [1932.] to accident, stress of weather or other unavoidable cause; and

(*b*) it shall be a defence to any proceeding under this Order against the owner, hirer, pilot or commander of an aircraft to prove that the alleged contravention took place without his actual fault or privity.

(2) If any person obstructs or impedes any person acting under the authority of the Secretary of State for Air or the Governor in the exercise of his powers and duties under this Order, such first-mentioned person shall be deemed to have acted in contravention of this Order.

[1935.] (3) Every person—

[1937.] [1935.] (*a*) who contravenes or fails to comply with or who is deemed to have contravened or failed to comply with this Order—

(i) by reason only of a non-compliance with condition (iv) specified in paragraph (1) of Article 4, or condition (iv) specified in paragraph (1) of Article 5, of this Order, or so much of condition (v) specified in paragraph (1) of the last-mentioned Article as requires certificates of airworthiness to be carried in aircraft, or

[1937.] (ii) by reason only of a contravention of, or non-compliance with, any of the following provisions of this Order, that is to say, paragraphs (1) and (2) of Article 8, Articles 16, 17 and 18, and paragraph 3A of Schedule V, or

[1935.] (iii) by reason only of a failure to carry in an aircraft such a certificate as is required in relation to that aircraft by the proviso to paragraph (2) of Article 27 of this Order, or

(iv) by virtue of paragraph 5 of Article 29 of this Order, or

(*b*) who, being the registered owner of an aircraft, fails to comply with paragraph 7 or paragraph 8 of Schedule I to this Order,

shall be liable on summary conviction to a fine not exceeding five pounds or, in the case of a second or subsequent conviction for the like offence, to a fine not exceeding ten pounds; but, save as aforesaid, every person who contravenes or fails to comply with any provision of this Order, or who is deemed to have contravened or failed to comply with this Order, shall be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding two hundred pounds or to both such imprisonment and such fine.

(4) Any aircraft which flies or attempts to fly over a prohibited area or enters the Colony in contravention of this Order is liable to be fired on in accordance with the provisions of Schedule VI to this Order.

(5) Any proceedings in respect of contravention of or failure to comply with any Customs Regulations made under Article 23 (4) of this Order shall be deemed to be proceedings for the recovery of a penalty under the enactments of the Colony relating to the Customs.

Power to cancel, suspend, or endorse licences and certificates.

29.—(1) Any certificate granted in the Colony under Schedule I, or any licence granted in the Colony under Schedule V to this Order, or the licence of any aerodrome in the Colony, may be cancelled, suspended or endorsed by the Governor on sufficient ground being shown to his satisfaction, after due inquiry, and his decision shall be final; and in special cases the Governor may suspend any such licence temporarily and provisionally pending the holding of an inquiry.

(2) Any certificate of airworthiness issued in the Colony under Schedule II to this Order, or any validation conferred in the Colony under that Schedule on a certificate of airworthiness, may be cancelled or suspended by the Governor if he is satisfied that reasonable doubt exists as to the safety of the aircraft in question, and the conditions attached to any such certificate or validation may be varied by the Governor if he is satisfied that those conditions may properly be relaxed, or that reasonable doubt exists as to whether those conditions afford a sufficient margin of safety.

(3) Where any person is convicted of any contravention of or failure to comply with this Order in respect of any British aircraft registered in the Colony, the Governor may cancel or suspend the certificate of registration of that aircraft.

[1929.]
[1932.]*

(3A) The Governor may vary or cancel* any particulars or other matter entered by him or on his authority in any licence or certificate granted, or in any journey log-book issued, under this Order.

(4) When there is within the Colony—

(*a*) an aircraft in respect of which a certificate of registration or of airworthiness issued by the duly competent

authority of some other place within His Majesty's dominions is in force, or

(*b*) a person holding a licence issued by any such authority and entitling such person to act as pilot navigator, engineer or other operative member of the crew of an aircraft,

the Governor may, on sufficient ground being shown to his satisfaction, after due inquiry, suspend any such certificate or licence, subject to an appeal to the authority by whom it was issued, the suspension, however, to remain in force pending the decision of such appeal.

[1929] (5) The Governor may require the holder of any licence, certificate or other document granted or issued or validated in the Colony under this Order or liable to be suspended under paragraph (4) of this article (or any person having the possession or custody of any such licence, certificate or document) to surrender the same to him for cancellation, suspension, endorsement or variation, in accordance with the provisions of this Order; and any person failing to comply with any such requirement within a reasonable time shall be deemed to have failed to comply with this Order.

Regulations by the Governor.

[1937.] **30.** The Governor may make regulations for carrying out the purposes of this Order in respect of the following matters:—

(*a*) for prescribing anything which is to be prescribed under the provisions of this Order;

(*b*) for giving directions as respects any matter as to which the Governor is by this Order authorised to give directions.

Interpretation.

31.—(1) In this Order, unless the context otherwise requires—

"The Convention" means the Convention for determining by a common agreement certain uniform rules with respect to international air navigation signed on behalf of His Majesty in Paris on the thirteenth day of October, 1919;

"The Protocol" means the additional protocol to the Convention aforesaid which was signed on behalf of His Majesty in Paris, and dated the first day of May, 1920;

[1932.] "Aircraft" includes all balloons, whether fixed or free, kites, gliders, airships, and flying machines;

[1932.] "Airship" means an aircraft using gas lighter than air as a means of support, and having means of propulsion and means of directional control;

[1929.] "Balloon" means an aircraft, either fixed or free, using gas lighter than air as a means of support, and having no means of propulsion;

"Flying machine" includes all aeroplanes, seaplanes, flying boats, or other aircraft heavier than air and having means of propulsion;

[1932.] "Glider" means an aircraft heavier than air, not fixed to the ground and having no means of mechanical propulsion, but having means of directional control;

"Military aircraft" includes naval, military and air force aircraft; and every aircraft commanded by a person in naval, military or air force service detailed for the purpose shall be deemed to be a military aircraft;

"State aircraft" means military aircraft and aircraft exclusively employed in State service, including postal, customs and police service;

"Passenger aircraft" and "goods aircraft" mean respectively aircraft intended for carrying passengers or goods for hire or reward, and include respectively aircraft in which passengers or goods are actually so carried;

"Public transport aircraft" means aircraft carrying passengers or goods for hire or reward or, in a case where the carriage is effected by an air transport undertaking, whether for hire or reward or not, and the expression "public transport flying machine" shall be construed accordingly; [1935.]

"Aerial work aircraft" means aircraft, not being public transport aircraft, which are being used for any commercial or industrial purpose or any lucrative purpose, and the expression "aerial work flying machine" shall be construed accordingly; [1935.]

"Personnel" (in relation to an aircraft) includes the pilot, commander, navigator, and engineer, and any operative member of the crew;

"Goods" includes mails;

"Wireless telegraphy" includes wireless telephony;

"Aerodrome" means any definite and limited ground or water area intended to be used, either wholly or in part, for the landing or departure of aircraft;

"Proprietor of an aerodrome" includes any person responsible for the management thereof;

"Licensed aerodrome" means an aerodrome licensed under this Order;

"Prescribed" (except where otherwise expressly provided) means prescribed by this Order or by regulations or directions made or issued thereunder by the Governor;

"Prohibited area" means any area in the Colony which the Governor may proclaim to be a prohibited area;

"Contracting State" means any State which is for the time being a party to the Convention; [1929.]

"Secretary of State" includes, in relation to any purpose of this Order, any person authorised by the Secretary of State for that purpose, and references to a person authorised by the Secretary of State include references to the holder for the time being of any office designated by the Secretary of State;

"Governor" means the officer for the time being administering the Government of the Colony, and includes, in relation to any purpose of this Order, other than the purposes of Article 30 thereof, any person authorised by the Governor for that purpose, and references to a person authorised by the Governor include references to the holder for the time being of any office designated by the Governor. [1937.]

[1929.] (2) In this Order—

References to His Majesty's dominions shall be construed as though territories under His Majesty's protection and territories in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty formed part of His Majesty's dominions;

References to the Colony include references to the territorial waters adjacent thereto;

[1937, No. 2.] References to passengers carried for hire or reward do not include references to any person when being carried within the Colony in an aircraft owned by a member of any of His Majesty's Forces or Civil Service where no payment is made to the owner in respect of such carriage otherwise than by way of an allowance payable under Regulations applicable to him as such member; but include references to persons carried in aircraft for the purposes of instruction in flying for which payment is made. Provided that for the purpose of determining whether a pilot is required to hold a licence to fly aircraft carrying passengers or goods for hire or reward, a member of an aeroplane club carried in an aircraft belonging to the club for the purposes of instruction or otherwise shall not, if the pilot is also a member of the same club, be deemed to be a passenger carried for hire or reward, notwithstanding [1935.] that payment is made for such instruction or carriage; and

[1937.] References to directions given by the Governor shall include references to regulations made by him and the expression 'direct' shall be construed accordingly.

[1935.] (2A) In relation to the carrying of a person in an aircraft for the purpose of instruction, payment shall be deemed, for the purposes of this Order, to be made for the instruction if any sum is paid or payable in respect of the particular flight by any person either to the instructor himself or to any person by whom the instructor is employed, or to whom he gives his services as an instructor, or if the instructor is employed for reward to instruct persons in flying aircraft.

52 & 53 Vict. c. 63. (3) The Interpretation Act, 1889, applies for the purpose of the interpretation of this Order as it applies for the purpose of the interpretation of an Act of Parliament, and as if this Order were an Act of Parliament.

Printing of Order. **32.**—(1) Where by any Order in Council for the time being in force any articles or words are directed to be added to or omitted from this Order, or to be substituted for any other articles or words in this Order, then, copies of this Order printed under the authority of His Majesty's Stationery Office, after such direction takes effect, may be printed with the articles or words added or omitted or substituted for other articles or words as such direction requires and with the articles and paragraphs thereof numbered in accordance with such direction, and this Order shall be construed as if it had at the time when such direction takes effect been made with such addition, omission or substitution.

(2) A reference in any document to this Order or to any provisions thereof shall, unless the context otherwise requires, be construed as referring to this Order as amended by any Order in Council for the time being in force.

33. Nothing in this Order shall be construed as conferring any right to land in any place as against the owner of the land or other persons interested therein, or as prejudicing the rights or remedies of any person in respect of any injury to persons or property caused by an aircraft. Saving.

34.—(1) This Order may be cited as the Air Navigation (Colonies, Protectorates and Mandated Territories) Order, 1927. Short title and commencement.

(2) This Order shall come into operation on the first day of January, 1928.

SCHEDULES

SCHEDULE I

Schedule I.

REGISTRATION AND MARKING OF AIRCRAFT

A.—*Registration*

1.—(1) The Governor may establish in the Colony a Sub-Registry of Aircraft and may appoint an officer to act as Registrar of Aircraft.

(2) Such officer (hereinafter referred to as "the Registrar") shall for the purposes of registration act as the Agent of the Secretary of State for Air and shall follow such instructions as may from time to time be issued by the Secretary of State for Air. The salary of the Registrar and the expenses of the Sub-Registry shall be paid out of such funds as the Governor may lawfully apply to that purpose.

2. An aircraft shall not be registered in the Colony unless it is owned wholly either

(*a*) by British subjects or persons under His Majesty's protection; or

(*b*) by a company or corporation

(i) registered and having its principal place of business in His Majesty's dominions; and

(ii) whereof the Chairman and at least two-thirds of the Directors are British subjects or persons under His Majesty's protection :

and no aircraft shall be registered in the Colony which is already validly registered in any other part of His Majesty's dominions or in any foreign State.

3. Application for the registration of an aircraft owned by the applicant may be made in the Colony by a person resident for the time being in the Colony or by a Company incorporated in or doing business in the Colony. Such application shall be made to the Registrar.

4.—(1) The Registrar on receipt of an application for registration of an aircraft in the Colony may, if satisfied that it is in order and complies with all conditions laid down in connection with the registration of aircraft and applicable to it, grant to the applicant a certificate of registration and may assign to the aircraft a registration mark.

(2) If the Registrar has doubts as to whether an application is in order and complies with the conditions as aforesaid, he may refer the matter to the Secretary of State for Air before issuing a certificate.

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(3) If it should appear to the Registrar that he has issued a certificate in an improper case, he may cancel the certificate and shall forthwith report such cancellation to the Secretary of State for Air.

(4) An applicant who is aggrieved by the Registrar's refusal or cancellation of a certificate under this paragraph may appeal to the Secretary of State for Air.

5. Aircraft registered in the Colony shall be deemed to be registered British aircraft but the certificate shall indicate that it has been issued in the Sub-Registry of the Colony.

6. The Registrar shall have the power, subject to an appeal to the Secretary of State for Air, to cancel any certificate of registration issued by him in error. Pending the decision of an appeal, a cancellation under this paragraph shall remain in force.

7. In the event of any change in the ownership of an aircraft registered in the Colony, or if an aircraft registered in the Colony ceases to be owned wholly either by persons or by a company or corporation fulfilling the conditions set out in paragraph 2 of this Schedule, then—

[1932.]

(1) The registered owner of the aircraft shall forthwith notify the Registrar of such change of ownership or as the case may be that the aircraft has ceased to be so owned as aforesaid; and

(2) The registration and the certificate thereof shall lapse as from the date of such change of ownership or the date on which the aircraft ceased to be so owned.

8. When an aircraft registered in the Colony has been destroyed or permanently withdrawn from use the registered owner shall as soon as [1932.] possible notify the Registrar accordingly, and the registration and the certificate thereof shall lapse as from the date of such notification.

[1937.] 8A. The registration of an aircraft registered in the Colony may be cancelled at any time by the Governor as from a date to be specified by him on his being satisfied that any of the requirements laid down in paragraph 2 of this Schedule are not complied with and thereupon the certificate of such registration shall lapse as from the specified date.

9. Where an aircraft within the Colony is already registered in some other part of His Majesty's dominions or in territories under His Majesty's protection, the Registrar may, at the owner's request, cancel the certificate of such registration and may, subject to the provisions of paragraph 2 of this Schedule, issue a fresh certificate for the aircraft from the Colonial Sub-Registry and assign it a mark appropriate to the Colony. The Registrar shall forthwith report to the Secretary of State for Air and to the registry of issue, if other than the Air Ministry, that he has endorsed or cancelled a certificate in pursuance of this paragraph and shall give the date and all necessary particulars of such endorsement or cancellation.

10. The Registrar shall transmit every month to the Air Ministry copies of all registrations and of cancellations of registration which have been entered on his register during the preceding month.

11. The Registrar may require that an application for registration shall be supported by a statutory declaration.

12. The Registrar shall charge such fees in connection with the registration of aircraft as the Governor may prescribe.

13. The register of British aircraft registered in the Colony shall be open to inspection at such times and subject to such conditions as may be prescribed.

B.—*Marking*

14. The nationality mark of an aircraft registered in the Colony shall be a group assigned by the Registrar of two capital letters in Roman character and the registration mark shall be a group assigned by the Registrar of three such letters. [1929.]

15. Subject as provided in paragraph 16A of this Schedule, the nationality and registration marks shall be painted on the aircraft or shall be affixed thereto by any other means ensuring a similar degree of permanence, in the following manner:— [1935.]

(*a*) *Flying Machines.*—The marks shall be painted or affixed once on the lower surface of the main plane structure and once on the upper surface of the main plane structure, the top of the letters constituting the marks to be towards the leading edge. The marks shall also be painted or affixed along each side of the fuselage or body between the main planes and the tail planes.

(*b*) *Airships and Balloons.*—In the case of airships, the marks shall be painted or affixed in three places at or near the maximum cross-section so as to appear once on each side of the airship and once on the upper surface. The letters constituting the marks on the upper surface shall be equidistant from the letters constituting the marks on the sides. In the case of spherical balloons, the marks shall be painted or affixed so as to appear in two places at or near the maximum horizontal circumference of the balloon and shall be placed as far as possible from one another, and, in the case of non-spherical balloons, shall be painted or affixed at or near the maximum cross-section on each side of the balloon immediately above the rigging band or the points of attachment of the basket suspension cables. In the case of all airships and balloons, the side marks shall be so placed as to be visible both from the sides and from the ground.

The marks shall be of such a colour in relation to the colour of the background on which they are painted or affixed as will render them clearly legible. [1937.]

16. The height of the letters constituting the marks need not exceed eight feet unless otherwise required by the Governor. Subject as aforesaid and as provided in paragraphs 16A and 17 of this Schedule, the following provisions with regard to such letters shall be complied with:— [1935.] [1937.]

(*a*) *Flying machines.*—The letters constituting each group of marks on the main planes and on the fuselage or body shall be of equal height and shall be as large as it is possible to make them without their touching the visible outline of the surface on which the marks are placed. [1937.]

(*b*) *Airships and Non-spherical Balloons.*—The height of the letters shall be equal to at least one-twelfth of the perimeter of the airship or balloon at its maximum cross-section.

(*c*) *Spherical Balloons.*—The height of the letters shall be equal to at least one-fifteenth of the maximum horizontal circumference of the balloon.

16A. In cases where the constructional features of the aircraft do not admit of compliance with any of the provisions of paragraphs 15 and 16 of [1935.]

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this Schedule, the nationality and registration marks shall be painted on or affixed to the aircraft in such manner, and the letters constituting the marks shall be of such height, as may be approved by the Governor.

[1937.] 17. As nearly as the constructional features of the aircraft admit,

(*a*) the width of the letters shall be two-thirds of their height;

(*b*) the thickness of the letters shall be one-sixth of their height; and

(*c*) except as provided in paragraph 18 of this Schedule, a space equal to one-half the width of the letters shall be left between the letters.

The letters shall be painted in plain block type, and shall be uniform in shape and size.

[1929.] 18. A hyphen of a length equal to the width of one of the letters shall be painted between the nationality mark and the registration mark.

[1929.] 19. The nationality and registration marks shall be displayed to the best possible advantage, taking into consideration the constructional features of the aircraft. The marks must always be kept clean and visible.

[1935.] 20. Every aircraft shall carry, affixed in a prominent position to the fuselage or to the car or basket (as the case may be), a metal plate inscribed with the names and residence of the owner and the nationality and registration marks of the aircraft.

[1929.] 21. (*Revoked*).

[1929.] 22. (*Revoked*).

Schedule II.

SCHEDULE II

Certificates of Airworthiness for Aircraft; Detention of Unairworthy Aircraft; Inspection, Overhauls, &c.

Issue and Validation of Certificates of Airworthiness

[1929.] [1932.] 1. Save as hereinbefore provided, a British aircraft registered in the Colony shall not fly unless it possesses a certificate of airworthiness validated or issued in accordance with the provisions of this Schedule.

2. When an aircraft is registered in the Colony, in respect of which a certificate of airworthiness has been issued by the duly competent authority in any other part of His Majesty's dominions, or in any foreign contracting State, or in any foreign State with which an agreement has been concluded on behalf of His Majesty permitting the aircraft of that State to fly over British territory, the Governor may, subject to such conditions and limitations and for such period as he shall think fit, confer on such certificate validity for the purpose of this Order, and may from time to [1932.] time extend the validity so conferred or he may issue a fresh certificate of airworthiness in respect of the aircraft.

3. When an aircraft which is registered in any other part of His Majesty's dominions, and in respect of which a certificate of airworthiness is in force, is within the Colony, the Governor may, upon the expiry of such certificate, issue a certificate of airworthiness in respect of the aircraft.

4. A validation conferred, or a certificate of airworthiness issued, under this Schedule shall remain valid only for such period as may be prescribed therein, unless extended or renewed for a further period by the Governor.

5. For the purpose of validating, issuing, extending the validation of, or renewing a certificate of airworthiness, the Governor may require to be furnished with such evidence as to the existing condition of the aircraft as he shall think fit. *Schedule II.*

Detention of Unairworthy Aircraft

6. If the Governor has reason to believe, on complaint or otherwise, that a passenger or goods aircraft within the Colony is intended or is about to proceed on any flight while in a condition unfit for flight, he may give such directions and take such steps, by way of provisional detention of the aircraft or otherwise in relation thereto, as may be necessary for the purpose of causing the aircraft to be inspected by his authorised representatives, and may, upon the result of such inspection, cause the aircraft to be detained until the execution of such alterations or repairs as he may consider necessary to render the aircraft fit for flight.

Inspection, Overhauls, &c.

7. The Governor may issue directions as to the inspection, certification before flight, overhaul, repair and modification of British aircraft which are registered in the Colony, or in respect of which airworthiness certificates have been issued by him, and as to the inspection and certification before flight of other British aircraft within the Colony and any directions so issued shall be complied with as if they were contained in this Order.

SCHEDULE III *Schedule III.*

Log-Books

Log-Books to be kept

1.—(1) The following log-books shall be kept in respect of British aircraft registered in the Colony :— [1937.]

(*a*) for every aircraft when engaged in international navigation or when flying on a regular line or service of public air transport, a journey log-book.

(*b*) in addition, for every passenger or goods aircraft, an aircraft log-book;

(*c*) in addition, for every passenger or goods aircraft fitted with an engine, an engine log-book, and if fitted with more than one engine, a separate log-book for each engine.

(2) Every pilot licensed under this Order shall keep a pilot's log-book.

(2A) A log-book shall be kept in respect of every winch (including the cable worked thereby) used for the operation of a fixed balloon registered in the Colony and carrying passengers for hire or reward. [1929.]

(3) The log-books shall be kept up to date in the prescribed form and manner.

2. The journey log-book shall be issued by the Governor, other log-books shall be in the prescribed form.

3. The log-books shall be preserved for two years after the last entry therein.

Instructions for Use of Log-Books

4.—(1) (*a*) The constructor shall fill in and sign the original entries in the aircraft and engine log-books so far as he is in a position to do so.

Subsequent entries therein shall be made and signed by such persons as may from time to time be prescribed.

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Provided that as regards matters which could not have come to the notice of any person so prescribed the pilot shall be responsible for making and signing the entries.

(*b*) Entries in the journey log-book shall be made and signed by such persons as may from time to time be prescribed.

(2) All entries shall be made in ink:

Provided that in the case of the journey log-book the entries may be entered daily from a rough notebook kept in pencil. This rough notebook shall be produced when called for in the event of any inspection or investigation.

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[1937.]

SCHEDULE IV

Rules as to Lights and Signals and Rules for Air Traffic

PRELIMINARY

Interpretation

For the purposes of this Schedule—

(*a*) An aircraft shall be deemed to be "on the surface of the water" when any part of the aircraft is in contact with the water;

(*b*) An aircraft, being in the air or on the surface of the water, shall be deemed to be "under way" when it is not moored to the ground or to any fixed object on the land or in the water;

(*c*) An aircraft under way in the air or on the surface of the water shall be deemed to be "making way" when it has a velocity relative to the air or water respectively;

(*d*) An aircraft shall be deemed not to be "under control" when it is unable to execute a manœuvre required in respect of it by the rules laid down in this Schedule or by the Regulations for Preventing Collisions at Sea;

(*e*) The expression "landing area" means that part of an aerodrome which is reserved for departures and landings of aircraft;

(*f*) The expression "visible", when used in relation to lights, means visible on a dark night with a clear atmosphere;

(*g*) The expression "plane of symmetry", in relation to an aircraft, means the plane of symmetry passing through the longitudinal axis of the aircraft;

(*h*) The angular limits for lights laid down in the rules contained in Section I of this Schedule shall be determined when the aircraft is in its normal attitude for flying on a rectilinear horizontal course.

SECTION I

Rules as to Lights and Visual Signals to be displayed and Sound Signals to be made by Aircraft

General

1.—(1) The rules as to lights to be displayed by aircraft contained in this Section of this Schedule shall be complied with by aircraft in all weathers during the period from sunset to sunrise or, in the case of aircraft being on or over the territory of a State by the law of which any other period is substituted for the period aforesaid, during the period so substituted.

(2) Throughout the period during which the said rules are to be complied with no other lights shall be displayed which may be mistaken for the lights required to be displayed by those rules.

(3) The lights required to be displayed by the said rules shall not be dazzling.

2.—(1) In the event of the failure of any light which is required by this Section of this Schedule to be displayed by aircraft in flight, the aircraft concerned shall, if the light cannot immediately be repaired or replaced, land as soon as it can do so without danger.

(2) Where owing to the difficulty of producing lamps to meet the requirements of this Section of this Schedule as regards sector lights, an overlap of those lights is unavoidable, the overlap shall be kept as small as possible; there shall be no sector in which no light is visible.

3. Nothing in this Section of this Schedule shall interfere—

(*a*) with the operation of any special rules made by any State with respect to additional signal or station lights for military aircraft, aircraft exclusively employed in State service or aircraft in group formation; or

(*b*) with the exhibition of recognition signals adopted by owners of aircraft which have been authorised by their respective Governments and duly published.

Lights and Visual Signals to be displayed by Aircraft Flying Machines

4.—(1) Every flying machine in the air or on the landing area of a land aerodrome shall display the following lights, that is to say :—

(*a*) on the right side, a green light, fixed so as to show an unbroken light, visible at a distance of at least 5 miles, throughout a dihedral angle of 110° formed by two vertical planes, of which one is parallel to the plane of symmetry of the aircraft and directed dead ahead, and the other is directed to the right;

(*b*) on the left side, a red light, fixed so as to show an unbroken light, visible at a distance of at least 5 miles, throughout a dihedral angle of 110° formed by two vertical planes, of which one is parallel to the plane of symmetry of the aircraft and directed dead ahead, and the other is directed to the left;

(*c*) at the rear, a white light, fixed so as to show astern an unbroken light, visible at a distance of at least 3 miles, throughout a dihedral angle of 140° formed by two vertical planes and bisected by the plane of symmetry of the aircraft.

(2) In cases where, in order to comply with the foregoing provisions of this paragraph, a single light has to be replaced by several lights, the field of visibility of each of those lights shall be so limited that only one of them can be seen at a time.

(3) In the case of a flying machine with a maximum span of less than 65 feet, the lights required by this paragraph to be displayed may be combined in one or more lamps placed centrally, provided that the requirements of this paragraph as to colour and visibility are complied with.

5. Every flying machine under way on the surface of the water shall display lights in accordance with the following provisions of this paragraph :—

(*a*) if it is under control and is not being towed, it shall display the lights specified in paragraph 4 of this Schedule and in addition,

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forward, a white light, fixed so as to show forward an unbroken light, visible at a distance of at least 3 miles, throughout a dihedral angle of 220° formed by two vertical planes and bisected by the plane of symmetry of the aircraft;

(*b*) if it is being towed, it shall display the lights specified in paragraph 4 of this Schedule;

(*c*) if it is not under control, it shall display two red lights placed where they can best be seen, one vertically over the other, not less than 3 feet apart, and both being visible, so far as practicable, all round the horizon, at a distance of at least 2 miles, and it shall also display—

(i) if making way, the lights specified in paragraph 4 of this Schedule; or

(ii) if not making way, the light specified in sub-paragraph (1) (*c*) of paragraph 4 of this Schedule;

(*d*) if it is towing another flying machine or a glider, it shall display the lights specified in paragraph 4 of this Schedule and it shall also display, forward, two white lights placed where they can best be seen, one vertically over the other, not less than 6 feet apart, and both being visible at a distance of at least 3 miles, throughout a dihedral angle of 220° formed by two vertical planes and bisected by the plane of symmetry of the aircraft.

6. Every flying machine at anchor or moored on the surface of the water shall display lights in accordance with the following provisions of this paragraph:—

(*a*) in every case, it shall display forward centrally where it can best be seen, a white light visible all round the horizon at a distance of at least 1 mile;

(*b*) in a case where the length of the flying machine is 150 feet or upwards, it shall display, in addition to any other light required by this paragraph to be displayed, a white light at or near its stern at a lower height than the forward light specified in sub-paragraph (*a*) of this paragraph, and visible all round the horizon at a distance of at least 1 mile;

(*c*) in a case where the maximum lateral dimension of the flying machine is 150 feet or upwards, it shall display, in addition to any other light required by this paragraph to be displayed, a white light on each side placed in such a manner as to demarcate the maximum lateral dimension of the flying machine and visible, so far as practicable, all round the horizon at a distance of at least 1 mile.

Gliders and free balloons

7.—(1) In all cases in which flying machines are required by this Section of this Schedule to display lights, a glider shall display a red light visible, so far as practicable, in all directions.

(2) A free balloon shall display a red light placed not less than 15 or more than 30 feet below the basket and visible, so far as practicable, in all directions at a distance of at least 2½ miles.

Captive Balloons and Kites

8.—(1) In the case of a captive balloon or kite, lights shall be displayed in accordance with the following provisions of this sub-paragraph:—

(*a*) the balloon or kite, when flown at an altitude exceeding 200 feet above the ground or at any altitude if it is less than 3 miles from an aerodrome or from a recognised air route, shall display a group of two lights consisting of a white light placed 12 feet vertically above a red light, both these lights being visible, so far as practicable, in all directions at a distance of at least 2½ miles, and the white light being placed not less than 15 or more than 30 feet below the basket, or, if there is no basket, below the lowest part of the balloon or kite;

(*b*) in addition, from the mooring cable of the balloon or kite there shall be displayed, at intervals of 1,000 feet measured from the said group of two lights, similar groups of two lights, white and red, and, if the lowest group of lights is obscured by clouds, an additional group shall be displayed below the cloud base;

(*c*) in addition, the position of the object to which the balloon or kite is moored on the ground shall be marked by a group of three flashing lights arranged in a horizontal plane at the apexes of a triangle approximately equilateral and each side of which measures at least 80 feet; the side of this triangle, perpendicular to the horizontal projection of the cable, shall be delimited by two red lights; the third light shall be a green light placed opposite the direction of the cable.

(2) By day the mooring cable of a captive balloon shall have attached to it at intervals of not more than 600 feet measured from the basket, or, if there is no basket, from the lowest part of the balloon, tubular streamers not less than 16 inches in diameter and 6 feet in length, and marked with alternate bands of white and red 20 inches in width.

(3) By day the mooring cable of a kite shall be marked, either

(*a*) in the manner required by the last preceding sub-paragraph in the case of a captive balloon; or

(*b*) by streamers of stout paper attached to the cable at intervals of 300 feet measured from the lowest part of the kite, being streamers not less than 32 inches in length or 1 foot in width in their widest part and marked with alternate bands of white and red 4 inches wide.

(4) By way of exception to the provisions of this paragraph, captive balloons and kites used for meteorological observation which, owing to their insufficient static lift, cannot display the lights and signals required by this paragraph to be displayed may be flown, but only over areas which are notified as danger areas by notices to airmen. In every such case the position of the object to which the captive balloon or kite is moored on the ground shall be marked as required by sub-paragraph (1) (*c*) of this paragraph.

Airships

9.—(1) Except as provided in the next following paragraph, an airship when under way shall display the following lights:—

(*a*) forward, a white light, fixed so as to show forward an unbroken light, visible at a distance of at least 5 miles, throughout a dihedral angle of 220° formed by two vertical planes and bisected by the plane of symmetry of the aircraft;

(*b*) on the right side, a green light fixed so as to show an unbroken light, visible at a distance of at least 5 miles, throughout a dihedral angle of 110° formed by two vertical planes, of which one is parallel to the plane of symmetry of the aircraft and directed dead ahead, and the other is directed to the right;

(*c*) on the left side, a red light fixed so as to show an unbroken light, visible at a distance of at least 5 miles, throughout a dihedral angle of 110° formed by two vertical planes, of which one is parallel to the plane of symmetry of the aircraft and directed dead ahead, and the other is directed to the left;

(*d*) at the rear, a white light fixed so as to show astern an unbroken light, visible at a distance of at least 3 miles, throughout a dihedral angle of 140° formed by two vertical planes and bisected by the plane of symmetry of the aircraft.

(2) In a case where, in order to comply with the foregoing provisions of this paragraph, a single light has to be replaced by several lights, the field of visibility of each of those lights shall be so limited that only one can be seen at a time.

10.—(1) An airship which is under way and which is not under control, or which has voluntarily stopped its engines, or which is being towed, shall display the following lights:—

(*a*) the forward and rear lights specified in sub-paragraphs (1) (*a*) and (1) (*d*) of the last foregoing paragraph;

(*b*) in addition, below the airship, two red lights placed vertically one below the other 12 feet apart, the upper light being 25 feet below the control car, and both being visible, so far as practicable, in all directions at a distance of not less than 2½ miles;

(*c*) in addition, if making way but not otherwise, the side lights specified in sub-paragraphs (1) (*b*) and (1) (*c*) of the last foregoing paragraph.

(2) By day, an airship in the circumstances mentioned in sub-paragraph (1) of this paragraph shall display a group of two black balls or shapes, each at least 2 feet in diameter, placed vertically one below the other 12 feet apart, the upper one being 25 feet below the control car, and both being visible, so far as practicable, in all directions.

Where necessary, in order to comply with the foregoing provisions of this sub-paragraph, the said group of two black balls or shapes may be duplicated.

11.—(1) An airship when moored to a mooring mast shall display at or near the rear a white light visible, so far as practicable, in all directions at a distance of at least 3 miles.

(2) An airship, when moored to the ground or the surface of the water by a cable, shall display, forward, the white light specified in sub-paragraph (1) (*a*) of paragraph 9 of this Schedule and at the rear the white light specified in sub-paragraph (1) (*d*) of that paragraph, and in addition the airship and its mooring cable shall be lighted or marked in accordance with such of the provisions of paragraph 8 of this Schedule as are applicable in the case of a captive balloon.

(3) An airship while picking up its moorings, although it shall be considered as being under way and not being under control, shall display only the lights required by paragraph 9 of this Schedule to be displayed until it is finally made fast.

Sound Signals

12. In fog, mist, falling snow or heavy rainstorm, whether by day or night, an aircraft on the water shall make the following sound signals:—

(*a*) if not anchored or moored, a sound, at intervals of not more than two minutes, consisting of two blasts of about 5 seconds' duration with an interval of about 1 second between them;

(*b*) if at anchor or moored, the rapid ringing of an efficient bell or gong for about 5 seconds, at intervals of not more than 1 minute.

SECTION II

Rules as to ground markings and signalling

General

13. The meanings given to the various markings, lights and signals in this Section of this Schedule are reserved to them exclusively.

Ground markings, lights and signals on and in the vicinity of aerodromes open to public use

14. At every land aerodrome open to public use the following requirements shall be complied with:—

(1) The boundaries of the landing area shall, by means of suitable markings, be rendered clearly visible both to aircraft in the air and to aircraft manoeuvring on the landing area;

(2) In addition, a marking in the form of a circle may be placed on the landing area;

(3) All obstructions existing on the landing area shall be clearly marked;

(4) In case part of the landing area should become unfit for use, such part shall be delimited by clearly visible markings or flags, and may, in addition be indicated by one or more clearly visible crosses.

15. At every aerodrome open to public use the following requirements shall be complied with:—

(1) The direction of the wind at the landing area shall be clearly indicated by a landing T, wind sleeve, smoke producing wind indicator or other recognised method.

(2) If there is a landing T,

(*a*) it shall be used to indicate the compulsory direction for landing and taking off, even should such direction not correspond to the direction of the wind;

(*b*) normally it shall be placed so that the shaft of the T lies along the direction of the wind with the cross arm set at that end of the shaft from which the wind is blowing;

(*c*) if there is either no wind or a slight irregular wind, the T shall be fixed in the direction in which landing or departure is to be made and the fact that it is fixed shall be indicated by the presence of a ball, mounted on a mast in the signal area and clearly visible both to aircraft in flight and to aircraft manoeuvring on the landing area.

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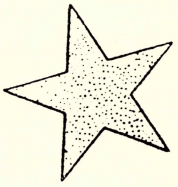
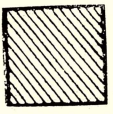
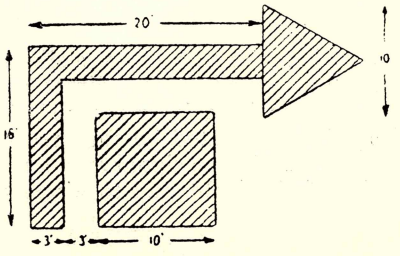
(3) When, by way of exception, the landing area at any aerodrome is regarded as divided into two approximately equal zones, one for departures and the other for landings, as provided for in paragraph 45 of this Schedule, this exceptional arrangement shall be indicated by a full star of five points, as illustrated below, of such a size that lines joining the successive points of the star would form a regular pentagon which could be inscribed in a circle the diameter of which is not less than 50 feet.



(4) (*a*) When in conformity with paragraph 37 of this Schedule the Governor temporarily suspends wholly or partially in respect of any aerodrome in the Colony which is open to public use the application of the special rules for air traffic contained in Section V of this Schedule there shall, to indicate such suspension, be placed horizontally a red square panel, each side of which measures at least 10 feet, as illustrated below :—



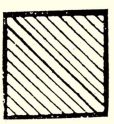
(*b*) If during such suspension as aforesaid it is provided among other things that in the case of a flying machine (i) flying outside a landing area at a distance of less than 2,000 yards from the nearest point of such area or (ii) making a circuit or partial circuit immediately after taking off or prior to landing, as referred to in paragraph 39 (*b*) and paragraph 43 respectively of this Schedule, the landing area is to be kept on the right of the flying machine and the circuit or partial circuit is to be right-handed, the red square panel specified in sub-paragraph (*a*) of this sub-paragraph shall along two of its sides be bordered by a red rectangular panel at least 3 feet in width, separated from the central panel by at least 3 feet, and at the extremity of one of the rectangular panels there shall be placed a red equilateral triangle, each side of which measures 10 feet, to indicate that the landing area is to be kept on the right and that circuits or partial circuit are to be right-handed, as illustrated below :—



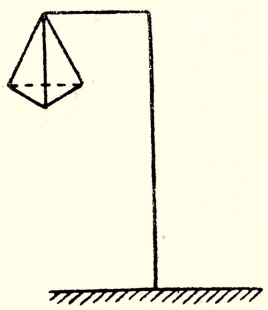
If, however, the only object of such suspension as aforesaid is that in such a case the landing area shall be kept on the right and that circuits or partial circuits shall be right-handed, the red square panel shall not be displayed.

(5) (*a*) When special circumstances necessitate a prohibition to land liable to be prolonged there shall be placed horizontally a red square panel each side of which measures at least 10 feet and the diagonals of which shall be marked by yellow strips at least 20 inches in width arranged in the form of an X, as illustrated below :—

(*b*) When owing to the bad state of the landing area or for any other reason the observance of precautions in landing is required, there may be placed horizontally a red square panel each side of which measures at least 10 feet and one of the diagonals of which shall be marked by a yellow strip at least 20 inches in width, as illustrated below :—



(*c*) When a landing by means of a radioelectric guide is taking place that fact may be indicated by hoisting on a mast a yellow triangular equilateral pyramid, each side of which measures at least 6 feet, as illustrated below :—



(*d*) The use of the signals provided for in sub-paragraphs (*b*) and (*c*) of this sub-paragraph is optional.

(6) The signals referred to in the above sub-paragraphs of this paragraph shall, whenever possible, be displayed in a special part of the aerodrome selected as a signal area; by way of exception, the wind indicators and the landing T referred to in sub-paragraphs (1) and (2) of this paragraph may be located elsewhere in the aerodrome.

(7) During periods of poor visibility the lights existing for night lighting shall be operated by day, whenever possible and in so far as necessary.

16.—(1) At every aerodrome open to public use and used for night flying the following requirements shall be complied with during the working hours of the night service :—

(*a*) *As to dangerous lights:*—

No lights shall be exhibited at or in the neighbourhood of an aerodrome which may endanger the safety of aircraft, whether by reason of glare, or by causing confusion with or preventing clear visual reception of the lights or signals required by this Schedule to be displayed;

(*b*) *As to aerodrome beacon:*—

The position of the aerodrome may be indicated by a luminous beacon.

(2) At every land aerodrome open to public use and used for night flying the following requirements shall be complied with during the working hours of the night service :—

(*a*) *As to lighting of obstructions:*—

Fixed red lights shall be displayed :—

(i) on all obstructions within the landing area which constitute a danger to aircraft in motion on the landing area;

(ii) as far as possible, on all obstructions within 1,000 yards of the boundary of the landing area and constituting a danger to aircraft approaching or leaving the aerodrome in a normal manner. In case it should be impossible to exhibit fixed red lights on such obstructions, the horizontal projection and the centre of the obstructions shall, as far as possible, be clearly indicated by synchronised red flashing or occulting lights, placed on a level with or near to the ground.

(*b*) *As to lighting of landing T and of wind indicators:*—

The landing T if used, and at least one of the wind indicators shall be illuminated with fixed lighting, preferably white.

(*c*) *As to lighting of signals:*—

The signals displayed in the signal area and also the signals referred to in sub-paragraphs (3), (4) and (5) of paragraph 15 of this Schedule, when used and wherever displayed, shall be suitably illuminated.

(*d*) *As to lighting of landing area:*—

(i) The landing area or the part thereof on which landings should be made shall be illuminated, if possible, by a floodlight or floodlight system during landing manoeuvres;

(ii) In default of such method of illumination as aforesaid, one of the two following alternative methods of illumination shall be used :—

First method:—

There shall be laid out on the ground a line of lights, spaced 50 yards apart, consisting of a central section of six white lights, to indicate that

landings should be made on the adjacent portion of the landing area and on either side of the said line, and at least two green lights at one end of the said line and at least two red lights at the other end of the said line, to indicate that landings should be made from the direction of the said green lights towards the said red lights;

Second method:—

There shall be laid out on the ground lights in the form of a T, the shaft of which shall be composed of at least four lights in a line at least 250 yards in length. The light at the foot of the T shall indicate the place where a flying machine or glider should first make contact with the ground and the cross arm of the T shall indicate the place where it should finish its run. Landings may be made on either side of the shaft of the T but always parallel thereto, provided that, in the event of the area situate on either side of the shaft of the T becoming obstructed, the light indicating the cross arm of the T on that side shall be removed and landing shall be effected on the opposite side of the shaft of the T.

If either of the two alternative methods of illumination referred to above is used, the landing T shall not be displayed.

(*e*) *As to approach lighting:—*

The most favourable sectors of approach to the landing area may be indicated by green lights.

(*f*) *As to boundary lighting:—*

The boundary of the landing area shall be marked by fixed aviation-yellow lights, normally laid out 100 yards apart:

Provided that:—

(i) when there are obstructions on the boundary of the landing area, the lights serving to mark such obstructions may take the place of boundary lights;

(ii) when local conditions render unavoidable the use of gas boundary lights, such lights may be given an intermittent character;

(iii) when the boundary of the landing area cannot be marked, only the extremities of such landing area between which aircraft may move without danger shall be indicated by fixed aviation-yellow lights.

(3) At every water aerodrome open to public use and used for night flying the requirements specified in sub-paragraph (2) of this paragraph shall be complied with except in cases where compliance therewith is obviously impossible.

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Distress, Urgency and Safety Signals

17.—(1) (*a*) None of the signals referred to in this paragraph may be transmitted except with the authority of the commander or person responsible for the aircraft from which such signals are transmitted.

(*b*) When such signals are sent by radiotelegraphy or radiotelephony, the group or spoken expression shall be sent three times and followed by the group DE and the call sign, also sent three times, of the aircraft which sends it.

(2) *As to distress signals:—*

When an aircraft is threatened by grave and imminent danger and requires immediate assistance, the following signals shall be used or displayed, either together or separately, before the sending of a message :—

(*a*) In radiotelegraphy the signals SOS (. . . — — — . . .).

(*b*) In radiotelephony the spoken expression "MAYDAY" (corresponding to the French pronounciation of the expression "m'aider").

(*c*) in visual signalling

(i) The signal SOS (. . . — — — . . .) made with signalling apparatus.

(ii) A succession of red pyrotechnical lights fired at short intervals.

(iii) The two flag signal corresponding to the letters "NC" of the International Code of Signals.

(iv) The distant signal, consisting of a square flag having, either above or below it, a ball or anything resembling a ball.

(*d*) In sound signalling

(i) The signal SOS (. . . — — — . . .) made with any sound apparatus.

(ii) A continuous sounding made with any sound apparatus.

(3) *As to urgency signals:—*

(*a*) When an aircraft wishes to give notice of difficulties which compel it to land without requiring immediate assistance, the following signals shall be used or displayed, either together or separately, before the sending of a message :—

(i) In radiotelegraphy the group PAN (. — — . . — — .), sent with the three letters well separated so that the signals AN may not be transmitted into one signal P.

(ii) In radiotelephony the spoken expression PAN, which should be pronounced like the French word "PANNE".

(iii) In visual signalling :—

By day : a succession of white pyrotechnical lights.

By night : a succession of white pyrotechnical lights or a succession of short and intermittent flashes with the navigation lights.

(*b*) When the signal PAN is sent by an aircraft without any message following, it shall signify that the aircraft has been compelled to land and is unable to transmit its intended message owing to the rapidity of the landing, but does not require immediate assistance.

(*c*) When an aircraft has a very urgent message to transmit concerning the safety of the aircraft or of any person on board or within range of assistance or the safety of another aircraft, or of any ship or vehicle, the following signals (which as a general rule will be addressed to a specific authority) shall be used or displayed, either together or separately, before the sending of the message :—

(i) In radiotelegraphy the group X X X (—. .— —. .— —. .—) with the letters of each group and the successive groups clearly separated from each other.

(ii) In visual signalling either a succession of green pyrotechnical lights or a succession of green flashes made with signalling apparatus.

(4) *As to safety signals:*—

When an aircraft is about to transmit a message concerning the safety of navigation or giving important meteorological warnings, the following signals shall be used, either together or separately, before the sending of a message :—

(*a*) In radiotelegraphy the group T T T (— — —) with the letters of each group and the successive groups clearly separated from each other.

(*b*) In radiotelephony the French word "SÉCURITÉ" corresponding to the English pronunciation of the syllables SAY-CURE-E-TAY.

(*c*) In visual signalling the international visual signalling procedure as laid down in the International Code of Signals.

Other Signals to or from Aircraft

18. At aerodromes open to public use :—

(1) By day and by night when there is an officer controlling traffic, he shall, except as permitted by sub-paragraph (2) of this paragraph, use the following signals (which may be preceded by the last three letters of the registration group of the aircraft to which the signal is addressed sent in the International Morse Code by using a luminous beam of the same colour as the signal which is to follow) :—

(*a*) to authorise movement on the landing area other than taking-off, he shall direct at the aircraft an intermittent white luminous beam;

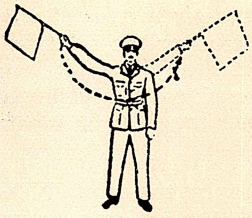
(*b*) to authorise taking off, he shall direct at the aircraft a continuous white luminous beam;

(*c*) to prohibit taking off or any movement on the landing area, he shall direct at the aircraft an intermittent red luminous beam.

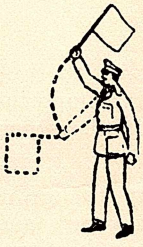
Schedule IV.

(2) By day, when there is on the landing area an officer controlling traffic, he may use the following signals:—

(*a*) to authorise movement on the landing area other than taking-off, he shall wave a small white flag in the direction to be followed as shewn in the diagram below

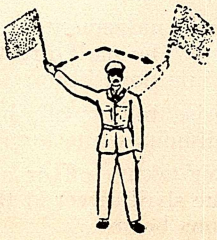


(*b*) to authorise taking off, he shall lower a small white flag in the direction of taking-off as shewn in the diagram below



(*c*) to prohibit taking-off or movement towards the taking-off point, he shall raise a small red flag as shewn in the diagram below

(*d*) to prohibit landing, he shall wave a small red flag vertically above his head as shewn in the diagram below



(3) (*a*) An aircraft wishing to land at night, without being compelled to do so, on an aerodrome having a ground control, shall, before landing, ask permission by a signal made either by radiotelegraphy or radiotelephony or by a visual signal made by means of a lamp or projector but not by means of the navigation lights.

(*b*) The visual signal, sent by International Morse Code, shall be composed of the last three letters of the registration group of the aircraft and shall be repeated for as long as may be necessary.

(*c*) The reply shall be given from the ground to the aircraft either by radiotelegraphy or radiotelephony or by visual signal, provided that, when permission has been asked by visual signal, the reply shall always be given by visual signal.

(*d*) When the reply is given by visual signal, such signal shall consist of a repetition of the three-letter sign specified in sub-paragraph (*b*) of this sub-paragraph, sent by means of the signalling lights of the aerodrome and made either by a group of lights arranged on a horizontal plane at the apexes of an equilateral triangle, each side of which measures not less than 3 nor more than 10 feet, or by a luminous beam directed at the aircraft.

(*e*) In giving the visual signal in reply, the colour green shall be used to give permission to land and the colour red shall be used to prohibit landing.

19.—(1) At every aerodrome the firing of a red pyrotechnical light or the display of a red flare from the ground, whether by day or by night and notwithstanding any previous permission, shall be taken as an instruction to aircraft in flight that they are not to land for the moment and to aircraft manoeuvring on the landing area that they are to cease to move.

(2) At aerodromes provided with the triangular device specified in paragraph 18 (3) (*d*) of this Schedule the emission by means of such device of intermittent red lights shall, whether by day or by night and notwithstanding any previous permission, be taken as an instruction to aircraft in flight that they are not to land for the moment.

20. To require an aircraft to land, the following signals shall be used:—

(*a*) By day, a series of projectiles discharged at intervals of 10 seconds, each showing on bursting black smoke;

(*b*) By night, a series of projectiles discharged at intervals of 10 seconds, each showing on bursting white lights or stars.

In addition, when necessary to prevent the landing of aircraft other than the aircraft required to land, an intermittent white luminous beam shall be directed at the aircraft whose landing is required.

21. To warn an aircraft that it is in the vicinity of a prohibited area and should change its course, the following signals shall be used:—

(*a*) By day, a series of projectiles discharged at intervals of 10 seconds, each showing on bursting orange smoke;

(*b*) By night, a serious of projectiles discharged at intervals of 10 seconds, each showing on bursting orange lights or stars.

Provided that, when the authority requiring the change of course referred to in this paragraph is able to establish radioelectric communication with the aircraft, such requirement may be indicated by that method of communication.

SECTION III

General Rules for Air Traffic

22. Subject to the provisions of paragraphs 29 and 35 (*a*) and (*c*) of this Schedule, flying machines shall always give way to gliders and to balloons, fixed or free, and to airships, and airships shall always give way to gliders and to balloons, whether fixed or free.

23. An airship which is under way and which is not under control or which has voluntarily stopped its engines shall, for the purposes of the provisions of this Section of this Schedule, be classed as a free balloon.

24.—(1) When circumstances permit, an aircraft can ascertain risk of collision with another aircraft by carefully watching the successive compass bearings and angles of elevation of the other aircraft and it shall consider that risk of collision with the other aircraft exists if neither the bearing nor the angle of elevation changes appreciably and if the distance between the two aircraft diminishes.

(2) The term "risk of collision" includes all risk of accident due to undue proximity of other aircraft.

25. Every aircraft which is required by the rules contained in paragraphs 22, 23 and 24 of this Schedule to give way to another aircraft to avoid collision, shall keep at a safe distance, having regard to the circumstances of the case.

26. While observing the provisions relative to risk of collision contained in paragraphs 24 and 25 of this Schedule, a mechanically-driven aircraft must always manœuvre according to the rules contained in paragraphs 27, 28, 29, 30 and 31 of this Schedule as soon as it is apparent that, if it pursued its course, it would not pass clear of another aircraft.

27. When two mechanically-driven aircraft are meeting end on or nearly end on, each shall, without prejudice to the application of the provisions of paragraph 22 of this Schedule, alter its course to the right.

28. Subject to the application of the provisions of paragraphs 22 and 35 (*c*) of this Schedule, when two mechanically-driven aircraft are on courses which cross, the aircraft which has the other on its own right side shall keep out of the way of the other.

29. An aircraft overtaking another aircraft shall keep out of the way of the overtaken aircraft by altering its own course to the right, and must not pass by diving.

Every aircraft coming up with another aircraft from any direction more than 110 degrees from ahead of the latter, that is to say, in such a position with reference to the aircraft which it is overtaking that at night it would be unable to see either of that aircraft's side lights, shall be deemed to be an overtaking aircraft, and no subsequent alteration of the bearing between the two aircraft shall make the overtaking aircraft a crossing aircraft within the meaning of these rules, or relieve it of the duty of keeping clear of the overtaken aircraft until it is finally past and clear.

As by day the overtaking aircraft cannot always know with certainty whether it is forward or abaft the direction mentioned above from the other aircraft, it should, if in doubt, assume that it is an overtaking aircraft and keep out of the way.

30. Every aircraft which is obliged by the rules contained in this Schedule to keep out of the way of another aircraft shall, if the circumstances of the case admit, avoid passing over or under the other or crossing ahead of it.

31. Where by any of the rules contained in this Schedule one of two aircraft is to keep out of the way, the other shall keep its course and speed. When, however, in consequence of thick weather or any other cause, the aircraft having the right of way finds itself so close that collision cannot be avoided by the action of the giving-way aircraft alone, it shall take such action as will best aid to avert collision.

32. Every aircraft in a cloud, fog, mist or other conditions of bad visibility, shall proceed with caution, having careful regard to existing circumstances.

Every aircraft when flying beneath clouds shall always do so, so far as it is safe and practicable, at such a distance below the clouds as will enable it readily to see and be seen.

33. In order to obviate the increased risk of collision which exists on air traffic routes, the following rules shall be observed by flying machines, gliders and airships when flying on or in the vicinity of such routes :—

(*a*) An aircraft when flying by compass along the straight line (rhumb line) joining two points on an air traffic route in common use shall keep such line at least 1,000 yards on its left.

(*b*) An aircraft following either an officially recognised air trafic route or a route frequented by aircraft and indicated on the ground by a line of landmarks such as a road, railway, river, canal or coast line, etc., shall keep such route at least 300 yards on its left.

(*c*) An aircraft shall not fly keeping on its right any of the lines or routes referred to in this paragraph except at a distance therefrom sufficient to avoid aircraft following such lines or routes in accordance with the rules contained in this paragraph.

(*d*) An aircraft crossing one of the lines or routes referred to in this paragraph shall cross it at right angles as rapidly as possible.

(*e*) In the case of prearranged flights in group formation, the aircraft of the leader of the group shall lead the flight in such a manner that every aircraft in the group can comply with the rules contained in this paragraph.

34. To facilitate compliance with the rules for air traffic contained in this Schedule, the pilot of a flying machine shall, save in exceptional circumstances, be placed either in the plane of symmetry of the flying machine or on the left hand side of such plane.

Section IV

Special Rules for Air Traffic on and in the Vicinity of all Aerodromes

35. On and in the vicinity of all aerodromes :—

(*a*) aircraft about to land on the aerodrome shall be given free way;

(*b*) aircraft about to take off shall not attempt to do so until there is no risk of collision with another aircraft;

(*c*) in the case of one flying machine or glider and another flying machine or glider both approaching the aerodrome for the purpose of landing, the flying machine or glider flying at the greater height shall be responsible for avoiding the flying machine or glider flying at the lower height but the latter flying machine or glider shall, if the contingency arises, comply with the provisions of paragraph 29 of this Schedule.

SECTION V

Special Rules for Air Traffic on and in the Vicinity of Aerodromes open to Public use

General

36.—(1) The rules contained in this Section of this Schedule shall be applied on and in the vicinity of aerodromes open to public use for flying machines.

(2) Gliders on and in the vicinity of aerodromes open to public use shall comply with the rules contained in this Section of this Schedule so far as possible.

37. The Governor may temporarily suspend the application of all or any of the rules contained in this Section of this Schedule in respect of any aerodrome in the Colony which is open to public use. Where any such suspension is for the time being in force with respect to any aerodrome, there shall be displayed at that aerodrome the appropriate signals provided for in paragraph 15 (4) of this Schedule.

38. At land aerodromes a neutral zone, situated along the perimeter of the landing area and at the approaches to the hangars, may be set apart for flying machines manœuvring on the ground.

Flight over or in the vicinity of the Landing Area

39. Subject to the provisions of any special regulations in force with respect to any particular aerodrome,

(*a*) a flying machine shall not fly over the landing area of an aerodrome at a lower height than 2,000 feet except when departing therefrom or landing thereat,

(*b*) every flying machine flying outside a landing area at a distance of less than 2,000 yards from the nearest point of such area shall, unless it is flying at a greater height than 2,000 feet, keep the landing area on its left.

40. Flying machines shall not engage in aerial acrobatics in the vicinity of aerodromes at a distance of less than 4,000 yards from the nearest point of the perimeter of the aerodrome, unless they are flying at a greater height than 6,000 feet.

41. When a flying machine is about to land by means of a radio-electric guide, other flying machines, in order to avoid collision, shall comply with any local regulations in force which may be applicable or, in default of any such regulations, shall fly as low as possible below the clouds.

42. No fixed balloon, kite, or moored airship shall be elevated in the vicinity of any aerodrome without permission duly given under the law of the country in which the aerodrome is situated. As respects aerodromes situated in the Colony such permission may be given by the Governor.

Rules to be observed for Departures and Landings

43. If a flying machine starting from or about to land on an aerodrome makes a circuit or partial circuit, the turning shall be made clear of the landing area and shall be left-handed (anti-clockwise) so that during such circuit the landing area shall always be on its left, unless either of the signals provided for in paragraph 15 (4) (*b*) of this Schedule is displayed, when the turning shall be right-handed.

44.—(1) Every flying machine when taking off from or landing at an aerodrome shall do so upwind, except when the natural conditions of the aerodrome do not permit. If, however there is a landing T as provided for in sub-paragraph (2) of paragraph 15 of this Schedule or a line of lights or lights in the form of a T as provided for in sub-paragraph (2) (*d*) (ii) of paragraph 16 of this Schedule, the flying machine shall take off or land in the direction indicated by the T (*i.e.*, by following the direction of the shaft of the T towards the cross arm of the T) or by the line of lights or lights in the form of a T as the case may be.

(2) Landings shall be preceded by a descent in a straight line, commencing at least 300 yards outside the perimeter of the landing area.

(3) Every flying machine landing at an aerodrome shall leave clear on its left any flying machine which has already landed or is already landing, or which is taking off or about to take off.

(4) Every flying machine taking off from an aerodrome shall leave clear on its left any flying machine which is already taking off.

(5) In observing the rules contained in this paragraph, every flying machine, when landing or taking off, shall leave a reasonable space on its right for other flying machines to land or take off.

(6) At an aerodrome two or more flying machines shall not take off or land simultaneously unless such simultaneous taking off or landing is prearranged.

(7) For the purposes of this paragraph two or more flying machines taking off or landing simultaneously by prearrangement shall be regarded as a single flying machine.

45.—(1) By way of exception the landing area at an aerodrome may be regarded as divided into two approximately equal zones by a vertical plane orientated in the direction of departure and landing described in sub-paragraph (1) of paragraph 44 of this Schedule; in such a case, for an observer facing in the same direction as that in which departures and landings are to be made, the zone on the right shall be reserved for landings, and the zone on the left for departures.

(2) The aerodromes to which this paragraph applies shall be indicated by the signal provided for in sub-paragraph (3) of paragraph 15 of this Schedule.

(3) At aerodromes to which this paragraph applies a flying machine when landing shall do so in conformity with the provisions of sub-paragraphs (1) and (2) of paragraph 44 of this Schedule, as far as possible to the left in the zone reserved for that purpose, but leaving clear on its left any other flying machine which has already landed or which is landing.

(4) At aerodromes to which this paragraph applies a flying machine when taking off shall do so in conformity with the provisions of sub-paragraph (1) of paragraph 44 of this Schedule, as far as possible to the left in the zone reserved for that purpose but leaving clear on its left any other flying machine which is already taking off.

46. At land aerodromes having a ground control no flying machine having proceeded on to the landing area with the intention of taking off shall take off until it has received permission to do so by the signal specified in sub-paragraph (1) (*b*) or sub-paragraph (2) (*b*) of paragraph 18 of this Schedule.

Rules to be observed for Manœuvres on the Ground

47.—(1) At every land aerodrome a flying machine moving on the ground in the landing area shall normally do so in the direction of landing. It may, however, in order to shorten its course, cross the landing area to reach its point of taking off or the boundary, provided that in the course of such movement turns are always made to the left, that it gives free way to every aircraft leaving or landing, and that it conforms to the general air traffic rules contained in paragraphs 27, 28, 29, 30 and 31 of this Schedule.

(2) At every water aerodrome the rules for land aerodromes contained in sub-paragraph (1) of this paragraph shall apply, subject, however, to the provisions contained in paragraph 49 of this Schedule.

48. At aerodromes having a ground control, in addition to complying with the rules contained in paragraph 47 of this Schedule a flying machine shall not proceed on to the landing area until it has received permission to do so by the signal specified in sub-paragraph (1) (*a*) or sub-paragraph (2) (*a*) of paragraph 18 of this Schedule.

Section VI

Rules relating to Aircraft on the Surface of the Water

49. Every aircraft manœuvring under its own power on the water shall conform to the Regulations for Preventing Collisions at Sea, and for the purposes of those Regulations shall be deemed to be a steam-vessel;

Provided that

(*a*) In conforming with the said Regulations it shall be borne in mind that steam-vessels in narrow channels are not able to manœuvre so as to avoid collision with aircraft, and

(*b*) The aircraft shall carry only the lights specified in Section 1 of this Schedule and not those prescribed for steam-vessels in the said Regulations, and shall not use, except as specified in paragraph 12 and sub-paragraph (2) (*d*) of paragraph 17 of this Schedule, or be deemed to hear the sound signals specified in the said Regulations.

Section VII

Miscellaneous Provisions

50. The dropping of ballast other than fine sand or water from aircraft in the air is prohibited.

51. In conforming with the rules laid down in Sections III, IV and V of this Schedule due regard shall be had to all dangers of navigation and collision and to any special circumstances which may render departure from the said rules necessary in order to avoid immediate danger.

52. Nothing in this Schedule shall exonerate any aircraft, or the owner, pilot or crew thereof, from the consequences of any neglect in the use of lights or signals, or of any neglect to keep a proper lookout, or of the neglect of any precaution which may be required by the ordinary practice of the air, or by the special circumstances of the case.

53. Nothing in this Schedule shall interfere with the operation of any special rule or rules duly made and published under the law of any country relative to the navigation of aircraft in the vicinity of any aerodrome or in or over any other place in that country, and it shall be obligatory on all owners, pilots and crews of aircraft to obey any such rule or rules.

Provided that nothing herein contained shall be deemed to require compliance with any such rule or rules in so far as compliance therewith would involve the provision of supplementary equipment for lights and signals other than such lights and signals as are required by Sections I and II of this Schedule to be displayed or used.

As respects any aerodrome or other place situated in the Colony any such special rule or rules as aforesaid may be prescribed by the Governor.

54. When an aircraft registered in the Colony is in the territory of any State which is not a Contracting State, the provisions of this Schedule shall apply to it only in so far as they do not conflict with the laws of such State.

SCHEDULE V.

Licensing of Personnel.

1. Save as provided by Article 4 and Article 5 of this Order, every person acting as a commander, pilot, navigator, engineer or other operative member of the crew of a British aircraft registered in the Colony shall be the holder of a licence in respect of the capacity in which he is so acting, granted or rendered valid under the provisions of this Order.

2.—(1) The Governor may issue directions providing for—

(*a*) The grant and renewal by him of such licences as aforesaid; and

(*b*) The validation by him for the purpose of flying British aircraft registered in the Colony of licences granted by the duly competent authority in any other part of His Majesty's dominions or in any foreign State.

[1932.]

(2) Pending the issue of such directions, licences may be granted, renewed or validated by the Governor on such conditions as he thinks fit.

[1932.] 3. No licence shall be granted if the Governor is not satisfied that the applicant is a fit and proper person to hold the licence.

[1937.] 3A. On the issue of a licence to an applicant he shall forthwith sign his name on the licence as the holder thereof with his ordinary signature.

4. In this Schedule the expression "licence" includes a certificate of competency.

Schedule VI.

SCHEDULE VI

Prohibited Areas

1. Such specifically defined areas in the Colony as the Governor may by proclamation declare to be prohibited areas shall be prohibited areas within the meaning of this Schedule.

2. Every aircraft which finds itself above a prohibited area in contravention of this Order shall, as soon as aware of the fact, give the signal of distress provided in paragraph 17 of Schedule IV, and land as soon as possible outside the prohibited area at one of the nearest aerodromes in the Colony.

Provided that it shall not, unless compelled by stress of weather or other unavoidable cause, fly further into the prohibited area nor commence to descend while still above the prohibited area.

3. To warn an aircraft that it is in the vicinity of a prohibited area [1937.] and should change its course, the signals prescribed in paragraph 21 of Schedule IV shall be used.

4. The signals which may be given when an aircraft flies, or attempts to fly, over a prohibited area in contravention of this Order shall be those [1937.] prescribed in paragraph 20 of Schedule IV.

5. Upon the signals referred to in paragraph 4 of this Schedule being given, the aircraft shall immediately give the signal referred to in paragraph 2 of this Schedule, and land in accordance with that rule.

6. If any aircraft flies, or attempts to fly, over any prohibited area or enters the Colony in contravention of this Order, and if, after signals referred to in paragraph 4 of this Schedule have been given by, or by the direction of, a commissioned officer in His Majesty's Naval, Military, or Air Forces, or a commissioned officer in any Volunteer or Defence Force in the Colony, the aircraft fails to respond thereto by complying with the procedure laid down in paragraph 5 of the Schedule, the officer may fire at or into such aircraft, and use any and every other means necessary to compel compliance, and every and any such officer and every other person acting in his aid and by his direction shall be and is hereby indemnified and discharged from any indictment, penalty, action or other proceeding for so doing.

[1931.] 7.—(1) Where it is brought to the notice of the Governor—

(*a*) that a large number of persons is likely to gather in any district in the Colony for the purpose of witnessing some event of public interest; or

(*b*) that it is intended to hold in any district in the Colony an aircraft race or contest or exhibition of flying; or

(*c*) that any district in the Colony is to be used for purposes relating to defence which render expedient the temporary restriction of the flying of aircraft within or in the neighbourhood of such district; [1937.]

the Governor may by directions impose such temporary restrictions on the flying of aircraft within or in the neighbourhood of that district as he may consider expedient in the interest of public safety or for the purpose of any such user as aforesaid, and no aircraft shall fly in contravention of any such directions: [1937.]

Provided that any such restrictions, in so far as they relate to aircraft other than State aircraft, shall apply to British aircraft and aircraft registered in any other Contracting State without distinction.

(2) Any directions issued under this paragraph shall specify the area or areas to which the restrictions extend and the time or times during which the restrictions are to be in force, and, in the case of restrictions applying only to aircraft of, or other than, any particular class or description, the class or description of aircraft to which the restrictions apply, or do not apply, as the case may be.

(3) Any area specified in any such directions shall, during the specified time or times, be deemed to be a prohibited area for the purposes of paragraphs 2, 3, 4 and 5 of this Schedule, but not for the purposes of any other provisions of this Order.

SCHEDULE VII

Annex H. of the Convention

CUSTOMS

General Provisions

1. Any aircraft going abroad shall depart only from aerodromes specially designated by the customs administration of each contracting State, and named "customs aerodromes".

Aircraft coming from abroad shall land only in such aerodromes.

2. Every aircraft which passes from one State into another is obliged to cross the frontier between certain points fixed by the contracting States. These points are shown on the aeronautical maps.

3. All necessary information concerning customs aerodromes within a State, including any alterations made to the list and any corresponding alterations necessary on the aeronautical maps and the dates when such alterations become valid, and all other information concerning any international aerodromes which may be established, shall be communicated by the State concerned to the International Commission for Air Navigation, which shall notify such information to all of the contracting States. The contracting States may agree to establish international aerodromes at which there may be joint customs services for two or more States.

4. When, by reason of a case of *force majeure,* which must be duly justified, an aircraft crosses the frontier at any other point than those designated, it shall land at the nearest customs aerodrome on its route. If it is forced to land before reaching this aerodrome it shall inform the nearest police or customs authorities.

Schedule VII.

It will only be permitted to leave again with the authorisation of these authorities, who shall, after verification, stamp the log-book and the manifest provided for in paragraph 5: they shall inform the pilot of the customs aerodrome where he must necessarily carry out the formalities of customs clearance.

5. Before departure, or immediately after arrival, according to whether they are going to or coming back from a foreign country, pilots shall show their log-books to the authorities of the aerodrome and, if necessary, the manifest of the goods and supplies for the journey which they carry.

6. The manifest is to be kept in conformity with the attached form No. 1.

The goods must be the subject of detailed declarations in conformity with the attached form No. 2, made out by the senders.

Every contracting State has the right to prescribe for the insertion either on the manifest or on the customs declaration of such supplementary entries as it may deem necessary.

7. In the case of an aircraft transporting goods the customs officer, before departure, shall examine the manifest and declarations, make the prescribed verifications and sign the log-book as well as the manifest. He shall verify his signature with a stamp. He shall seal the goods or sets of goods, for which such a formality is required.

On arrival the customs officer shall ensure that the seal is unbroken, shall pass the goods, shall sign the log-book and keep the manifest.

In the case of an aircraft with no goods on board, the log-book only shall be signed by the police and customs officials.

The fuel on board shall not be liable to customs duties provided the quantity thereof does not exceed that needed for the journey as defined in the log-book.

8. As an exception to the general regulations, certain classes of aircraft, particularly postal aircraft, aircraft belonging to aerial transport companies regularly constituted and authorised and those belonging to members of recognised touring societies not engaged in the public conveyance of persons or goods, may be freed from the obligation of landing at a customs aerodrome and authorised to begin or end their journey at certain inland aerodromes appointed by the customs and police administration of each State at which customs formalities shall be complied with.

However, such aircraft shall follow the normal air-route, and make their identity known by signals agreed upon as they fly across the frontier.

Regulations applicable to Aircraft and Goods

9. Aircraft landing in foreign countries are in principle liable to customs duties if such exist.

If they are to be re-exported, they shall have the benefit of the regulations as to permit by bond or deposit of the taxes.

In the case of the formation, between to or more countries of the Union, of touring societies, the aircraft of the said countries will have the benefit of the regulations of the "Triptyque."

10. Goods arriving by aircraft shall be considered as coming from the country where the log-book and manifest have been signed by the customs officer.

As regards their origin and the different customs regimes, they are liable to the regulations of the same kind as are applicable to goods imported by land or sea.

11. With regard to goods exported in discharge of a temporary receiving or bonded account or liable to inland taxes, the senders shall prove their right to send the goods abroad by producing a certificate from the customs of the place of destination.

Air Transit

12. When an aircraft to reach its destination must fly over one or more contracting States, without prejudice to the right of sovereignty of each of the contracting States, two cases must be distinguished :—

(1) If the aircraft neither sets down nor takes up passengers or goods it is bound only to keep to the normal air-route and make itself known by signals when passing over the points designated for such purpose.

(2) In other cases, it shall be bound to land at a customs aerodrome and the name of such aerodrome shall be entered in the log-book before departure. On landing, the customs authorities shall examine the papers and the cargo, and take, if need be, the necessary steps to ensure the re-exportation of the craft and goods or the payment of the dues.

The provisions of paragraph 9 (2) are applicable to goods to be re-exported.

If the aircraft sets down or takes up goods, the customs officer shall verify the fact on the manifest, duly completed, and shall affix, if necessary, a new seal.

Various Provisions

13. Every aircraft during flight, wherever it may be, must conform to the orders from police or customs stations and police or customs aircraft of the State over which it is flying.

14. Customs officers and excise officials, and generally speaking the representatives of the public authorities shall have free access to all starting and landing places for aircraft; they may also search any aircraft and its cargo to exercise their rights of supervision.

15. Except in the case of postal aircraft, all unloading or throwing out in the course of flight, except of ballast, may be prohibited.

16. In addition to any penalties which may be imposed by local law for infringement of the preceding regulations, such infringement shall be reported to the State in which the aircraft is registered, and that State shall suspend for a limited time, or permanently, the certificate of registration of the offending aircraft.

17. The provisions of this Annex do not apply to military aircraft visiting a State by special authorisation (Articles 30, 31 and 32 of the Convention), nor to police and customs aircraft (Articles 30 and 33 of the Convention).

Schedule VII.

Model No. 1

Note.—The manifest should not bear on it erasures or corrections except those approved by the proper customs officials, nor contain interlineations or several articles entered on the same line. As many extra sheets may be added as are necessary.

AIR NAVIGATION

MANIFEST

OR GENERAL DECLARATION OF CARGO.

Machine ... Registration Mark

Space reserved for entries by Customs Officers.

Commanding Officer
- Name :
- Residence :
- Nationality :
- Number of Licence :

Goods ...
- Place of departure : Country :
- Place of destination : Country :
- Number of annexed declarations :

The Commanding Officer guarantees the accuracy of the contents of this manifest under penalties provided by law. Consequently he has dated and signed this document immediately below the last entry.

File Number of Document	Marks and Numbers on the Parcels	Number (in Figures and Letters) and descriptions of Parcels	Nature of the Goods	Weight	Observations

AIR NAVIGATION

Place of departure :

Customs declaration made by M

Place of destination :

for the following goods:

PARCELS		Nature of Goods	Detailed Description of Contents	Country of Origin	Value	WEIGHT		Observations
Marks and Numbers	Number					Gross	Net	

At the day of 19 .

Consignor

chedule VIII

SCHEDULE VIII

Colonies and Protectorates

Bahamas.
Barbados.
Bermuda.
British Guiana.
British Honduras.
Jamaica and its Dependencies.
Leeward Islands.
Trinidad and Tobago.
Grenada.
St. Lucia.
St. Vincent.
Falkland Islands and their Dependencies.
St. Helena.
Fiji.
The Islands of the Western Pacific.
The Colony and Protectorate of Kenya.
Uganda Protectorate.
Nyasaland Protectorate.
Zanzibar Protectorate.
Somaliland Protectorate.
Gibraltar.
Malta.
Cyprus.
The Colony and Protectorate of the Gambia.
Gold Coast Colony.
The Northern Territories of the Gold Coast.
Ashanti.
The Colony and Protectorate of Nigeria.
The Colony and Protectorate of Sierra Leone.
Ceylon.
Hong Kong.
Mauritius.
Seychelles.
Straits Settlements.
Northern Rhodesia.

chedule IX.

SCHEDULE IX

Mandated Territories

Cameroons under British Mandate.
Togoland under British Mandate.
Palestine.
Tanganyika Territory.

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